

Leads California Congressional Delegation in Holding the VA Accountable

May 17, 2012

Washington, D.C. – Today, Congressman Jerry McNerney (CA-11) led a letter to the Department of Veterans Affairs (VA) calling on Sec. Shinseki to address the backlog of veterans' benefits claims at the Oakland regional office in light of last week's report from the VA's Office of the Inspector General (OIG). Congressman McNerney previously called on the VA to address the severe backlog of veterans' benefits claims at the Oakland regional office and to address the number of inaccuracies in claims processing at the office.

"The IG's report shows us concretely what we already knew: the backlog of claims at the Oakland regional office is unacceptable. I will continue to hold the VA accountable until we see concrete improvements made as a result of its plan. The number of delayed claims simply must be reduced. The veterans who have served our country deserve to have their claims processed accurately and quickly," said Rep. McNerney.

"I've heard time and again from veterans in California about the troubling delays they experienced while having their claims processed. These are truly heartbreaking stories, and this is not the way their service and sacrifice should be honored. I will not accept anything other than seeing the backlog of claims reduced and fewer mistakes made," said Rep. McNerney.

Late last month, Rep. McNerney spoke on the House floor and questioned a representative from the VA in a hearing in the House Committee on Veterans' Affairs. He also sent a letter to the VA demanding that Secretary Shinseki reverse his decision to not include Oakland among a group of 12 regional offices to receive updated technology. The Oakland regional office services veterans from Bakersfield all the way to the Oregon border.

"For the tens of thousands of veterans currently waiting to receive their benefits, any extended delay is inexcusable. I welcome other Members of Congress in joining me in calling on the VA to process the claims currently languishing at the Oakland regional office," said Rep. McNerney.

The full text of the letter is below and attached.

May 17, 2012

The Honorable Eric K. Shinseki
Secretary
U.S. Department of Veterans Affairs
810 Vermont Ave, NW
Washington, D.C. 20420

Dear Secretary Shinseki:

We are writing in response to the Department of Veterans Affairs' Office of the Inspector General (IG) reports released on May 10, 2012, evaluating the performance of VA Regional Offices (VAROs) in California. These reports show that the Los Angeles, Oakland and San Diego VAROs have significant deficiencies as a result of mismanagement and a lack of staff understanding of applicable rules and regulations.

As a result, the benefits claims of veterans in California take longer to process and experience more errors than veterans' claims in other states. We know you share our commitment to ensuring our veterans receive the benefits they deserve in a timely manner and therefore request that the VA take immediate and concrete actions to address these serious problems.

The IG is currently conducting inspections of all 57 VAROs nationwide to evaluate how well each is processing disability compensation claims. Unfortunately, it is clear that high error rates are a serious problem within the California VAROs, and that these problems are most often due to ineffective oversight by management and incorrect interpretation of VA guidelines by staff.

For example, the IG determined that in processing temporary 100 percent disability evaluations,

the Los Angeles office ranked 43rd in the accuracy of claims processing, out of the 44 VAROs inspected nationwide—with 97% of claims reviewed incorrectly processed. Similarly, 77% of temporary 100 percent disability evaluations reviewed were incorrectly processed in San Diego, and over half were incorrectly processed in Oakland.

The IG also reviewed evaluations of residual disabilities of traumatic brain injury. The IG found that in the cases reviewed about half of these evaluations were processed incorrectly in Los Angeles, Oakland and San Diego—a significantly higher error rate than in other VAROs around the country.

In addition, excessive claims processing times is a significant and reoccurring problem in the California VAROs. According to the IG reports, 80% of claims reviewed in Los Angeles were unnecessarily delayed. In San Diego, half of the claims were unnecessarily delayed. Shockingly, investigators found a claim in Oakland that had been pending for 8 years.

We are also disturbed by the IG's findings that California VAROs largely failed to consider whether Gulf War veterans who were denied service connections for mental disorders were still entitled to receive mental health treatment. This may have deprived these veterans of the opportunity to seek needed treatment from the VA. Given the severity of the situation faced by California veterans waiting to receive their benefits, we ask that you provide us with the following:

- The steps being taken to immediately ensure that VAROs in California properly address the IG's recommendations, including how staff will be held accountable for their performance.
- The follow-up actions that will be taken to ensure California VAROs are improving in their performance.
- An understanding of why the Los Angeles VARO is currently in what is referred to as "safe mode," which means that staff are not held accountable to VA standards.

Thank you for your attention to this critical matter. We look forward to hearing from you.

Sincerely,

The letter is signed by 32 members of the California House Delegation and the two California Senators.