

United States Senate

October 6, 2023

Dear Secretary McDonough:

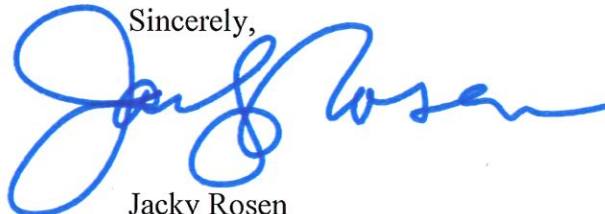
I write to express my deep concern with the Department of Veterans Affairs' (VA) final rule for rates of pay and reimbursement for air and ground ambulances and other special mode transportation services (AP89), which is set to take effect on February 16, 2024. While I am disappointed with the content of the rule itself, which will cause veterans across the country – especially those living in rural areas, like my home state of Nevada – to lose access to timely critical care, I am very concerned with the VA's lack of transparency and willingness to engage with Congress, providers, and Veteran Service Organizations throughout the rulemaking process. Therefore, I urge the VA to delay the implementation of the final rule until the Department can guarantee that ambulance reimbursement rates are sufficient to ensure continuity of care for rural veterans across the country.

In rural states, such as Nevada, emergency air and ground transportation services are an especially critical lifeline for veterans who find themselves in need of urgent, lifesaving care, but who live in remote or hard-to-reach areas that limit immediate access to emergency healthcare. The VA's final rule has the potential to upend access to such critical care in rural areas by bringing reimbursement rates for ambulance services well below current operating costs, which may force providers to reduce services, or even bill veterans for the remaining balance. According to the VA's own data, approximately 78 percent of claims would be affected by the implementation of the final rule. While the VA should take measured steps to bring down costs for medical care and transport services, the VA's final rule change threatens rural veterans' very access to emergency care, when they already have limited availability to immediate and routine care.

We must continue to ensure that our nation's veterans continue to have access to the care that they have earned. That is why I urge the VA to delay the implementation of this rule until it does its due diligence by engaging with Congress, providers, and Veteran Service Organizations to ensure that new reimbursement rates are reflective of actual transportation costs.

I look forward to working with the VA to develop fair and reasonable rates for air and ground ambulance and other special mode transportation services, so that we guarantee that every veteran has access to the care they deserve.

Sincerely,



Jacky Rosen
United States Senator