

United States Senate

COMMITTEE ON VETERANS' AFFAIRS

WASHINGTON, DC 20510

March 7, 2017

The Honorable David Shulkin
Secretary of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Dear Secretary Shulkin:

I write today regarding the need for prompt change in the execution of the Veterans Choice Program in Montana. I most recently wrote to then-Secretary Robert McDonald in early January 2017 to bring his attention to the continued inability of Health Net to schedule veterans and to seek additional steps from the VA to address these access challenges after two long years. Unfortunately, I do not believe the VA's response showed a genuine desire to take real action, and we missed another opportunity to do right by veterans under this program. Today, I write with a very simple and straight-forward request – allow the VA to take over the responsibility of making appointments for Montana veterans participating in the Choice Program.

As you know, the Veterans Choice Program was created to provide a timelier route to community care for veterans unable to receive such care directly from VA. With the \$10 billion appropriated to provide care, VA chose to contract with both Health Net and TriWest. VA's duty, and that of Health Net and TriWest, has been to do absolutely everything needed to ensure the Choice Program is being properly implemented and executed for veterans' benefit.

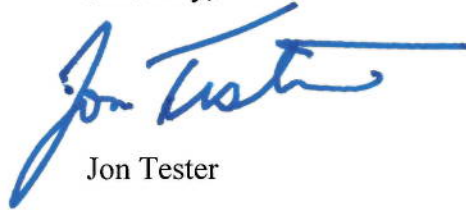
For the last two years, we have worked with you and VA staff to make the Choice Program more responsive to veterans and their families, employees, and community providers. While we have made progress in some areas, I see us losing ground in others. We continue to lose providers in Montana, and I see Health Net failing in its core responsibilities of scheduling appointments, contracting with providers to treat veterans, and paying those providers timely. Recent VA Office of Inspector General (OIG) reports have confirmed that the problems we see in Montana are systemic and that VA staff were not tracking information in order to hold Health Net accountable to the terms of the contract. As the OIG noted, "many of the problems in obtaining timely access to care through Choice were caused by Health Net." While VA staff have issued Health Net Letters of Correction and taken other steps to attempt to modify Health Net's behavior, it is clear that further action is needed.

Last year, VA worked with TriWest to modify the Choice Program and Patient-Centered Community Care Program (PC3) for VA staff to take over the responsibility for making appointments for veterans in certain states. Today, I ask you to commit to modifying your contract with Health Net as soon as possible for VA staff at Fort Harrison and other Montana facilities to take over scheduling duties for Choice. Hopefully, your experiences last year in returning this duty to VA staff should lead to an easier implementation and enable veterans to benefit from the remainder of the Choice Program. I understand from news reports that Alaska veterans welcomed this change, and I believe Montana veterans will feel the same way.

While Congress is beginning anew to find ways to consolidate VA's community care programs, I remind you that thousands of Montana veterans will use Choice this year, and the VA owes them a better experience. I believe both VA and Congress must be flexible in this time of transition to find ways that better serve Veterans. I again acknowledge that Congress must enact policies to allow the Choice Program to be successful, and I have welcomed VA's insight into any modifications needed. I have been leading the charge when we can identify those areas. I believe this is an excellent opportunity for you to exercise your authority to do right by veterans, their families, providers, and taxpayers.

Thank you for your attention to this matter and your prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Tester", with a long horizontal flourish extending to the right.

Jon Tester