

U.S. Sen. Baldwin: Joins U.S. Sens. Tester, Rounds, Tillis urge VA to honor veterans' emergency care claims

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Contact: press@baldwin.senate.gov
[202-224-6225](tel:202-224-6225)

Bipartisan Group of Senators Urge VA to Reimburse Veterans For Their Emergency Treatment Claims Before Recent Court Decision

WASHINGTON, D.C. – U.S. Senators Tammy Baldwin (D-WI), Jon Tester (D-MT), Mike Rounds (R-SD) and Thom Tillis (R-NC) today called on the VA to ensure that the VA is reimbursing veterans who were billed for emergency treatment at private hospitals.

In January, the VA announced that it would not retroactively reimburse veterans for their emergency treatment despite a court decision that ruled the VA is responsible for emergency medical costs at private, non-VA hospitals.

In response, the bipartisan group of Senators wrote to VA Secretary David Shulkin urging him to reimburse veterans who filed a claim for emergency medical costs before the court ruling.

“Between 2010 and April 16, 2016, VA erroneously denied thousands of veterans’ claims for emergency treatment,” the Senators wrote. “With the VA’s recent interpretation of this ruling, veterans who filed claims before April 16, 2016 would see no relief from the VA’s wrongful application of the law and would be stuck

paying medical bills that Congress intended that the VA pay. We ask that the VA include those veterans whose claims were decided before April 16, 2016, so that all veterans can fully take advantage of a benefit Congress intended they receive.”

The *Expansion of Veteran Eligibility for Reimbursement Act*, enacted in 2010, directed the VA to pay for veterans’ emergency treatment at non-VA facilities unless the veteran has another form of insurance that entirely covers their medical costs. Since 2010, the VA has denied thousands of claims because a veteran’s other insurance partially paid for their treatment, leaving veterans to cover the difference for costly emergency care.

The U.S. Court of Appeals for Veterans Claims ruled on April 16, 2016, that the VA’s interpretation of its responsibility for non-VA emergency treatment was wrong and ordered the VA to begin paying these claims. Despite that, the VA has chosen not to pay veterans’ who filed before the 2016 court ruling.

The VA released its new policy regarding payment or reimbursement for emergency treatment at private hospitals on January 9, 2018. The VA will only pay for new claims or those not decided prior to April 16, 2016.

Senators Patty Murray (D-WA), Sherrod Brown (D-OH), Richard Blumenthal (D-CT), Mazie Hirono (D-HI), Joe Manchin (D-WV), Amy Klobuchar (D-MN), Bernie Sanders (I-VT) and Steve Daines (R-MT) also signed the letter to Secretary Shulkin, which can be read online [here](#).

An online version of this release is available [here](#).