

PATRICK J. TOOMEY
PENNSYLVANIA

United States Senate

WASHINGTON, DC 20510

COMMITTEE
FINANCE
BANKING, HOUSING, AND
URBAN AFFAIRS
BUDGET
JOINT ECONOMIC COMMITTEE

February 16, 2015

Stuart Weiner
Congressional Liaison Service
U.S. Department of Veterans Affairs
By email: stuart.weiner@va.gov

Dear Mr. Weiner,

Re: RIN 2900-A073, Net Worth, Asset Transfers and Income Exclusions for Needs Based Benefits.

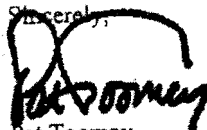
I have been contacted by a number of my constituents who are very concerned with the VA's proposed rule changes in RIN 2900-A073. Specifically, these constituents disagree with the VA's assertion that the rule changes are the intent of Congress, and in fact, many of them view the rule changes as an attempt on the part of the VA to circumvent Congress. In an effort to bring some clarity and understanding to the issue, I would appreciate your consideration and review of the following questions:

- 1) Has the VA given consideration to the possibility that these rule changes may cause a veteran to avoid seeking care because they fear running out of funds?
- 2) Has the VA thoroughly reviewed Medicaid asset limit rules as it compares to the proposed "bright line net worth limit"?
- 3) Why is the VA now implementing a 36 month look back period that Congress did not move out of committee?
- 4) Has the VA considered the possibility that the proposed language regarding grandfathering of current claims may actually cause elderly veterans to become homeless?
- 5) Does the VA believe that it is the intent of Congress to make veteran pensions more restrictive than Medicaid by disallowing the use of trusts and annuities as legitimate long-term care needs planning tools? Medicaid allows such planning.

I would appreciate any assistance you can provide in seeing that these questions are reviewed by the appropriate officials. If you require any further information please contact my Deputy State Director, Sue Zimskind. Sue can be reached by email at Sue_zimskind@toomey.senate.gov, by fax at 610-434-1844, or by phone at 610-434-1444.

I am grateful for your time and consideration in this matter.

Sincerely,



Pat Toomey
United States Senator