

Client Alert



Veterans Community Care Program Final Rule

By Adam H. Laughton and James Dorough-Lewis

On June 6, 2019, the US Department of Veterans Affairs (“VA”) issued final rules regarding the implementation of the Veterans Community Care Program. These rules respond to the VA’s broader mandate under the 2018 Maintaining Internal Systems and Strengthening Integrated Outside Networks Act (MISSION Act), whose objective is to consolidate VA programs, improve medical provider recruitment and retention, and advance VA technological infrastructure. The new Veterans Community Care Program, which will, over a two-year period, replace the Veterans Choice Program, seeks to increase veteran access to private healthcare providers in an effort to reduce wait times and expand the availability of specialty services.

The rules more specifically set out how the VA will determine which veterans qualify for care by a private provider and which private providers qualify to receive veterans as part of the new Community Care Network (“CCN”). Veterans may choose to seek care from private providers in the CCN if they reside at least 30 minutes’ drive time from a VA provider of primary or mental healthcare services, or 60 minutes in the case of a specialist. Veterans may also choose a private provider if the wait time for a VA primary or mental care provider exceeds 20 days, or 28 days for specialists. Quality of service constitutes an additional factor in the decision-making process.

Private provider CCN eligibility requires a contract with the VA through one of its third-party administrators. The contracting provider must offer qualifying services that veterans may access within reasonable travel and wait times. The VA begins implementing the program this summer on a regional basis, with the full transition occurring through 2020. The VA intends to announce standards at a later date for comparing the quality of private provider services with quality based on local, rather than national, standards. The final rule may be accessed at Office of the Federal Register: www.federalregister.gov/documents/2019/06/05/2019-11575/veterans-community-care-program.

If you have any questions about this alert or would like further information, please contact Adam Laughton at alaughton@seyfarth.com.

www.seyfarth.com

Attorney Advertising. This Client Alert is a periodical publication of Seyfarth Shaw LLP and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The contents are intended for general information purposes only, and you are urged to consult a lawyer concerning your own situation and any specific legal questions you may have. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.)

Seyfarth Shaw LLP Client Alert | June 26, 2019

©2019 Seyfarth Shaw LLP. All rights reserved. “Seyfarth Shaw” refers to Seyfarth Shaw LLP (an Illinois limited liability partnership). Prior results do not guarantee a similar outcome.