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November 28, 2018

The Honorable David Brat
1628 Longworth HOB
Washington, DC 20515

Re: Statement of Support for H.R. 7105, the Brian Tally VA Medical
Care and Liability Improvement Act

Dear Congressman Brat:

American Veterans (AMVETS), the most inclusive Congressionally chartered veteran service organization in the U.S., supports the enactment of H.R. 7105, the "Brian Tally VA Medical Care and Liability Improvement Act." We believe passage of this law will address the longstanding problem of breached due process for veterans who suffer disability, as well as survivors who lose loved ones, due to medical malpractice or negligence on the part of the Department of Veterans Affairs independent contractors.

Suing the federal government, or one of its agencies, for a wrongful action is an inherently complex and overwhelming process. But it becomes a shell game when victims of medical malpractice are led to believe they are dealing with a federal employee, only to find out later an independent contractor committed the offense. When this happens, the independent contractor's status as a non-agent of the government deceptively immunizes the government from liability, leaving veterans or survivors with no recourse.

Adding insult to veritable injury are the deceptive practices carried out on the part of the government to subvert the harmed individual's due process rights. Examples include stifling claims and withholding decisions until the statute of limitations has expired and negotiating in bad faith when discussing terms of settlement. This bill, if passed, will ensure greater accountability and transparency in the delivery of healthcare to veterans in cases where independent contractors are responsible for causing undue harm to our Nation's veterans in the course of that care.

We thank you for sponsoring this important legislation and will implore your colleagues in Congress to support the passage of H.R. 7105 as well, for the sake of veterans who protected our country and now deserve our best efforts to protect them.

Sincerely,

Joseph R. Chenelly
AMVETS National Executive Director