

The Latest from the VA

New Presumptive Illnesses Caused by Herbicide Exposure

By August 2017, thousands of Vietnam War veterans—those suffering from bladder cancer, hypothyroidism, Parkinson’s-like symptoms and even high blood pressure, may become eligible for Department of Veterans Affairs health benefits and disability compensation.

Months of study lie ahead for a working group of senior scientists and health experts that current VA Secretary Bob McDonald convened last week, following release of a 10th and final biennial review of evidence of health problems linked to Agent Orange and other herbicide exposures.

The Institute of Medicine, in its latest review, *Veterans and Agent Orange: Update 2014*, takes into account medical and scientific literature published from Oct. 1, 2012, through Sept. 30, 2014.

IOM has concluded that the research supports changing the strength of association to herbicide exposure for several ailments. For bladder cancer and hypothyroidism, it found “limited or suggestive” evidence of an association, an upgrade from previous “inadequate or insufficient” evidence. IOM has also found that there is limited and suggestive evidence that hypertension may be linked to herbicides. This could be a tough one to conclude there is a positive relationship between exposure and hypertension since men, as they age, often suffer from hypertension in any event. This review also considered whether conditions resulting in Parkinson’s-like symptoms, apart from Parkinson’s disease itself, should fall into the same limited or suggestive category of evidence. Yes, it should, the IOM concluded, finding “no rational basis” for the current exclusion. This is good news for at least two of my current clients who have been diagnosed with “Parkinson’s-like symptoms”.

Unfortunately, the IOM withdrew an earlier finding that herbicide exposure may have caused an ailment, in this case spina bifida in children born to Vietnam veterans. For 20 years, the VA has used a preliminary finding of an association to grant children benefits for spina bifida. The IOM says it no longer believes the evidence merits retaining spina bifida in that category. The current plan is to review carefully all of the studies and the IOM recommendations and then prepare “a response document” to be distributed “throughout our senior leadership, with suggestions and recommendations for action,” before presenting the recommendations to McDonald’s replacement, Dr. David Shulkin, for final decisions.

Trump Chooses Dr. David Shulkin to Head the Department of Veterans Affairs

Speaking at a press conference on Wednesday, January 11, President-elect Donald Trump announced his pick for VA Secretary. Trump has picked Dr. David Shulkin, the current Under Secretary for Health for the United States Department of Veterans Affairs. If Shulkin is confirmed, he will be the first non-veteran to serve as VA Secretary. Dr. Shulkin has served as Undersecretary since June 2015. Previously, he served as the President and Chief Executive Officer of Beth Israel Medical Center in New York City. He also served as President of Morristown Medical Center and the Atlantic Health System Accountable Care Organization. He has been Chief Medical Officer of the University of Pennsylvania Health System, the Hospital of the University of Pennsylvania, Temple University Hospital, and the Medical College of Pennsylvania Hospital. His other academic positions have included Chairman of Medicine and Vice Dean at Drexel University College of Medicine, and Professor of Medicine at the Albert Einstein School of

Medicine. Shulkin has been the editor of *Journal of Clinical Outcomes Management and Hospital Physician*, and has been on the editorial boards of several journals, including *Journal of the American Medical Association*. He founded and served as the Chairman and CEO of DoctorQuality, Inc a consumer-oriented information service. Dr. Shulkin has written 25 peer-reviewed journal articles, and numerous other professional publications. For myself, I think this is a great choice to lead the VA and I believe that Dr. Shulkin will be able to resolve the problems with the VA healthcare system and the claims backlog.

Latest on Herbicide Exposure and “Blue Water” Veterans

Though most didn't step foot in Vietnam, some 90,000 Navy vets who served offshore may have been exposed to herbicides and are seeking benefits. Advocates for the so-called Blue Water Navy veterans have been asking the VA for more than a decade to broaden the policy to include them. They say that they were exposed to Agent Orange because their ships sucked in potentially contaminated water and distilled it for showering, drinking, laundry and cooking. Experts have said the distillation process could have actually concentrated the Agent Orange.

The U.S. Court of Appeals for Veterans Claims in April 2015 struck down VA rules that denied compensation for sailors whose ships docked at certain harbors in South Vietnam, including Da Nang. Those ports, the court determined, may have been in the Agent Orange spraying area. The court ordered the VA to review its policy. But in February, the VA largely stood by its old policy and once again asserted that there's no scientific justification or legal requirement for covering veterans who served off the coast. A bill in Congress to change that had 336 sponsors in the House and 47 in the Senate. But it did not become law. Advocates have said they will try again in 2017 and hope that President Trump will push the Republican-controlled Congress to pass this long-overdue legislation.

New Benefits for Camp Lejeune Veterans Exposed to Contaminated Water

The federal bureaucracy moved at an agonizing crawl for the Marine Corps veterans sickened by the contaminated drinking water at Camp Lejeune in North Carolina. Some died waiting for government benefits.

But the Department of Veterans Affairs, on January 12, after more than a year of work, finalized rules that will allow potentially thousands of veterans stationed at the base — or surviving spouses — to receive automatic benefits if they have been diagnosed with one of eight diseases. This marks the end of a long wait for many veterans who have been denied benefits by the VA and may be in desperate need of disability pensions and medical care. The estimated cost to taxpayers over the next five years is \$2.2 billion. "This is welcome news and something that is long overdue," said Mike Partain, who has waged a long campaign with other activists to win benefits for veterans and family members. "That is a small price to pay considering these veterans and families sacrificed so much for their country." The formulation of the rules had been in the works for more than a year and news of the finalization came in a notice published in the *Federal Register*, the government's official journal, with no fanfare or announcement from the VA.

Beginning in March, the cash payouts from the Department of Veterans Affairs may supplement VA health care already being provided to eligible veterans stationed at the Marine base for at least 30 days cumulative between Aug. 1, 1953, and Dec. 31, 1987. Veterans will have to submit evidence of their diagnosis and service information. The eight diseases covered are adult leukemia, aplastic anemia,

bladder cancer, kidney cancer, liver cancer, multiple myeloma, non-Hodgkin's lymphoma and Parkinson's disease.

Scientists believe up to a million people may have been exposed to a toxic brew of chemicals, including several carcinogens, that make the Lejeune contamination perhaps the worst ever mass exposure to polluted drinking water in the United States. The contamination stretched more than 50 years, ending in 1987, and involved residents now scattered across the nation.

About 14,000 Lejeune veterans and family members live in Florida, the second highest total in the nation behind North Carolina, according to Marine Corps figures. Affected veterans who were stationed at Camp Lejeune may now submit applications for benefits, once the rule is officially published Friday, January 13. Roughly 1,400 disability claims related to Lejeune are already pending, and will be reviewed immediately, according to the VA.

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