

GAO

Report to the Chairman, Committee on
Veterans' Affairs, U.S. Senate

October 1992

DEFENSE HEALTH CARE

Physical Exams and Dental Care Following the Persian Gulf War



147732

Human Resources Division

B-247985

October 15, 1992

The Honorable Alan Cranston
Chairman, Committee on Veterans' Affairs
United States Senate

Dear Mr. Chairman:

This report responds to your request that we obtain information on the physical examinations provided to service members discharged¹ following the Persian Gulf War. You raised concerns about the usefulness of the physical examinations given after the war, particularly in terms of providing evidence for potential disability compensation claims and the government's ability to track possible adverse health effects stemming from Persian Gulf service. You also asked us to look at the extent of problems encountered by recently discharged veterans attempting to obtain dental treatment from Department of Veterans Affairs (VA) facilities.

We obtained the information in this report primarily from discussions with Department of Defense (DOD) and VA officials. We interviewed DOD officials from the Office of the Assistant Secretaries of Defense for Force Management and Personnel, Health Affairs, and Reserve Affairs, and the three military services' medical and personnel departments. We spoke with VA officials from the Veterans Benefit Administration, Compensation and Pension Service, and the Veterans Health Administration. In addition, to get a sense of the extent of dental care access problems, we contacted 10 VA medical centers and three large veterans service organizations. The VA medical centers and service organizations we contacted are listed in appendix I.

We discussed with DOD officials the steps taken to identify and handle medical conditions associated with the Persian Gulf War. We did not, however, study any individual cases.

We performed our work between November 1991 and April 1992 in accordance with generally accepted government auditing standards.

Background

At the height of the Persian Gulf War over 230,000 members of the Reserves, the National Guard, and the Air National Guard were called up

¹The terms "discharge" and "separation" are used in this report to refer to the termination of a period of active military service, including that of National Guard and Reserve members called up for the Persian Gulf War.

for duty in the Persian Gulf, other overseas areas, and the United States. Following the conflict, nearly all of these service members were discharged within a few months. This was in addition to regular active duty members discharged in this period.

The three military services' medical departments are responsible for setting policies related to physical examinations given at the time of separation from active duty and for conducting these examinations. There are no DOD-wide regulations. The only statutory requirement related to such exams is for called-up National Guard and Air National Guard members to receive "... an evaluation as to physical fitness" at the end of their federal service.²

VA is not involved in establishing policies for separation physical examinations. However, VA uses DOD medical records, including those from any separation physical examinations, in adjudicating veterans' claims for disability compensation. Veterans are eligible for VA disability compensation if they have a disabling condition, as defined by the law, that was caused or aggravated during active military service.

Regarding dental treatment, most veterans, including most of those called up for the Persian Gulf War, are eligible for VA dental treatment if their dental treatment needs were not met by DOD in the 90 days before discharge. To obtain this benefit, referred to as class II dental treatment, the law requires that a veteran's military discharge paperwork must specify that all necessary treatment was not provided before discharge. New veterans must apply for the benefit within 90 days of their discharge.

The class II dental benefit is only available for service-connected, noncompensatory dental conditions. This means that only conditions that started or worsened during active military service, but are not disabling, can be treated under that program. Separate programs exist to cover treatment of service-connected disabling dental problems as well as for treatment of emergency conditions.

Results in Brief

VA may have difficulty adjudicating future compensation claims for service-connected disabilities because of variations in the separation physical examination policies and practices of the military services. Because of the different policies of the three military services, separation physical examinations were not routinely provided to all members of the

²10 U.S.C. 3502 and 8502.

military, nor were they provided to many Guard and Reserve members called up for the Persian Gulf War. VA considers these exams to be important in adjudicating claims for service-connected disability compensation. However, neither VA nor DOD has analyzed whether the benefits to veterans obtained by providing additional exams justifies the additional cost to DOD of providing these exams.

Steps taken by DOD to identify potential health problems and to keep track of environmental conditions and troop locations during the conflict appear to be adequate. However, the military is not relying on separation physical examination records to establish baseline health information. Instead, DOD is maintaining a detailed record of environmental conditions and "who was where" in the Persian Gulf area, extensive air and soil samples have been collected and analyzed, and a detailed medical surveillance study of 3,700 soldiers is underway. These efforts are intended to identify potentially dangerous environmental conditions, predict whether exposure to them will cause future health problems, and permit the identification of people at risk.

Denial of access to VA dental treatment for Persian Gulf War veterans does not appear to be widespread. However, at least several hundred veterans were denied dental treatment because of incorrectly prepared discharge papers. The incorrect paperwork appears to be the result of DOD's efforts to process large numbers of service members in a short time.

The dental access problem would be preventable in the future if DOD did not have to specify on discharge papers whether dental care was provided. Because VA could use its own dental examinations and veterans' dental records to establish eligibility for the benefit, the removal of the DOD certification requirement would not significantly alter the nature or scope of the dental benefit. Such a change would require legislation.

Separation Physical Examinations Vary

Separation physical examinations were not routinely provided to all service members discharged following the Persian Gulf War. This may result in difficulties adjudicating future disability claims and affect some veterans' eligibility for VA disability compensation. No DOD-wide standard or policy regarding such examinations exists, and the requirements for them vary among the services. VA officials, however, consider such exams to be an important element in adjudicating disability compensation claims and stated that their absence can make it much harder for a veteran to prove his or her claim. They said that some future service-connected

disability compensation claims may be denied because of the absence of evidence that symptoms of the condition were present during military service. However, no analysis has been done of the degree to which individual veterans would benefit if separation exams were required for everyone.

Though not required by Army regulations, most Army Reservists and National Guard members called up for the Persian Gulf War received some form of a separation physical examination. Army regulations state that such examinations are not required for the majority of active-duty personnel, but soldiers have the option of requesting a physical examination before discharge. The Army, however, ordered separation physical examinations for all called-up members of the Army Reserve and the Army National Guard, though some were discharged without an examination.

The Army exams included a detailed medical history (which gives the service member the opportunity to point out new or recurring medical concerns), and vision and hearing tests. The exams did not include X rays or lab tests unless symptoms raised in the medical history indicated their need.

The Navy chose not to require separation physical examinations for most called-up Navy Reservists even though Navy regulations require that they be provided to those members. Following the Persian Gulf War, the Navy required examinations only for the few reservists who had not been examined in the preceding 12 months. Because called-up reservists were given an examination when they entered active duty and most served for less than 12 months, most were not required to receive a separation physical examination.

Navy separation physical exams include a detailed medical history, hearing and vision tests, and a variety of laboratory tests. While most Navy Reservists were discharged without such an exam, they were given the opportunity to talk with a medical staff member and then asked to sign a statement that they had remained in good health since their last examination.

Air Force regulations do not require separation physical examinations for most active-duty personnel. Air Force Reserve and Air National Guard members did not receive physical exams provided they were up-to-date on their required periodic physical examinations. Like the Navy, Air Force

members were asked to attest to their general health status at the time of their separation and were provided access to members of the medical staff upon request.

In addition, military officials described pressure from a number of directions to get called-up Reserve and Guard members back home as soon as possible. This affected the services' decision-making regarding the provision of separation physical examinations.

The variation in the separation physical examination practices of the military services troubles VA officials because they consider separation physical examinations to be important in the adjudication of claims for service-connected disability compensation. The absence of a separation exam can make it difficult for a veteran to prove a claim, especially if he or she did not seek treatment for the claimed condition at some point during military service and there is no other evidence that symptoms of the condition were present while serving.

VA and DOD officials told us that no effort is underway to resolve the two departments' differences on this question, nor could they point to any previous attempts. Also, no analysis has been made of the costs to DOD and benefits to individual veterans of requiring separation exams for all service members. We learned, however, that a joint VA-DOD task force has recently been created to deal with a related question regarding timely access by VA to DOD medical records needed to adjudicate disability compensation claims.

Potential Long-Term Health Effects Being Studied

In January 1992,³ we reported that it is not known how exposure to the smoke from burning Kuwait oil wells or exposure to other environmental conditions may affect veterans in the future. However, DOD's efforts to assess the potential long-term health effects of such exposure and to keep track of potentially affected service members appear adequate.

The military is not relying on separation physical examination records to track the effects of exposure to smoke from oil well fires. Instead, a detailed record of environmental conditions and "who was where" in the Persian Gulf area is being maintained and extensive air and soil samples have been collected. This information will be useful in the event that exposure to smoke from oil well fires is found to cause long-term adverse

³Defense Health Care: Efforts to Address Health Effects of the Kuwait Oil Well Fires (GAO/HRD-92-50, Jan. 9, 1992).

health effects, and knowing who was exposed under what conditions becomes important.

Also, a biological surveillance study of 3,700 soldiers from the 11th Armored Cavalry Regiment is being conducted. This effort includes detailed information on these members' health status before, during, and after their deployment to the Persian Gulf. As part of the study, a smaller sample of troops has been evaluated in much greater detail, using sophisticated blood, urine, and lung tests, as well as daily diaries kept by the troops of diet, health, activities, weather, and exposure to smoke.

Some Persian Gulf War veterans have been found to be affected by medical problems besides those associated with oil smoke. Military officials told us that they are responding to these situations as they arise.

For example, a previously unknown strain of the tropical disease Leishmaniasis, a parasitic infection spread by sand fly bites, was found in 10 Persian Gulf War veterans. Army officials told us that the disease is treatable, requiring a 3- to 5-week hospital stay, and that only one patient is still undergoing treatment. At the present time, the disease can only be diagnosed through bone marrow testing, but the Army is currently developing a blood test for it.

Few Problems Accessing VA Dental Treatment After the Persian Gulf War

Paperwork errors on the part of DOD have forced VA to deny some veterans' applications for class II dental care. VA statute⁴ states that VA can only provide class II dental care when a veteran's discharge paperwork states that the military did not provide all necessary dental care before separation. Some veterans were given incorrectly marked documents. The errors, while probably small in number, appear to stem from heavy separation processing demands in the months after the conflict. The problem could be avoided in the future by amending that portion of the class II dental benefit statute that requires DOD to certify the dental care it provides before separation.

VA General Counsel opinions state that the law requires VA to deny class II dental treatment if the applicant's discharge papers show that DOD provided "all necessary treatment" before separation. The VA General Counsel says that VA does not have the authority to "look beyond" the discharge document when determining eligibility for class II dental benefits. Therefore, VA must deny this treatment even when a veteran's

⁴38 U.S.C. 1712.

dental conditions are clearly service-connected or if the veteran's dental records clearly contradict the official discharge document.

Veterans denied such treatment can request that their records be changed to correct errors, including errors in the dental certification section, but this process can be very time consuming. When such corrections are made, the veteran has a new 90-day period to reapply for class II dental treatment.

DOD instructions require clerks to check a member's dental treatment record when completing the discharge document. The treatment record is supposed to include an entry from the dentist stating whether the member received an examination and all required treatment. DOD officials told us, however, that these steps are prone to error, especially during a time, such as that following the Persian Gulf War, when many service members are being processed for separation in a short time.

The number of denied veterans is unknown, but based on the low number of denied applications reported by the 10 VA medical centers we contacted and the low number of requests for paperwork changes reported by the military services, it appears that only a small percentage of those discharged following the Persian Gulf War both applied for VA dental care under this provision and had erroneous discharge documents.

Five of the 10 VA medical centers we contacted reported very few cases where they had to deny an application for class II dental benefits because of the dental treatment certification on a veteran's discharge papers. Three facilities reported no denied applications, although two of these had a local policy to, in effect, provide class II treatment regardless of the DOD certification. Officials at the Spokane, Washington, medical center estimated that 50 of the 100 veterans who applied there were turned away because their discharge papers indicated complete care had already been provided. Officials at the New Orleans, Louisiana, medical center estimated this was the case for 60 of 200 applications at their facility.

The officials in each of the military departments responsible for handling corrections to discharge papers said that, while they do not keep records of corrections, few veterans have applied for changes to the dental certification section following the Persian Gulf War.

Finally, officials at the headquarters of three large veterans service organizations also said that they are not seeing many problems in this

area. One organization, the American Legion, specifically asked its field representatives to report any such problems and got no replies.

VA officials told us that the question of service-connection is fairly easy to establish in the months after separation because most problems that are present soon after separation probably existed during service and probably got worse, to some degree, during that time. One exception is trauma, such as an accident causing the loss of a tooth, which can happen between the date of discharge and the VA examination. In these cases, VA can investigate whether the problem arose before or after separation from the military.

Conclusions

Given the importance that VA places on the separation physical examination and the differences among the services regarding these exams, some veterans' claims for service-connected disability compensation may be difficult to prove because the veterans did not receive a separation physical examination.

VA and DOD officials should reconcile VA's need for medical information and DOD's need to expedite the separation processing of service members. Such a reconciliation could be found in the establishment of a minimal, uniform separation physical examination that emphasizes a careful cataloging of any health problems the service member may have experienced during active duty.

The legislative requirement that eligibility for VA class II dental treatment depends on DOD's certification that all necessary dental treatment was provided before discharge appears unnecessary. Certification is not needed to establish service-connection of veterans' dental conditions, and veterans who received treatment for all of their dental needs before discharge are not likely to come to VA for dental care soon after their separation. By removing the requirement, a paperwork step that is subject to mistakes could be avoided by DOD without adding significantly to the number of veterans eligible for class II dental benefits. We do not intend that removing the requirement would result in any change in the type or amount of dental care DOD provides before discharge.

Recommendation to the Congress

We recommend that the Congress amend section 1712 of title 38, U.S.C.—the law creating the class II dental benefit—to remove the DOD

dental certification requirement. Suggested legislative language to accomplish this is as follows.

“SEC. _____. ELIMINATION OF DENTAL CERTIFICATION.

“(a) REPEAL OF DENTAL CERTIFICATION WITH VETERAN’S CERTIFICATE OF DISCHARGE.—Section 1712(b)(1)(B) of Title 38, United States Code, is amended (1) by striking clause (iv); (2) by striking the “and” at the end of clause (iii); and (3) by placing the word “and” at the end of clause (ii).

“(b) Subsection (a) is effective with respect to a veteran’s certificate of discharge or release from active duty issued on or after the date upon which that subsection is enacted.”

Recommendation to the Secretaries of Defense and Veterans Affairs

We recommend that the Secretaries of Defense and Veterans Affairs analyze the trade-offs of providing examinations and establish a policy on separation examinations that balances the separation processing needs of the military with VA’s need for data to support the disability compensation claims adjudication process.

Agency Comments

The Departments of Defense and Veterans Affairs concurred with our findings regarding the lack of uniformity in separation physical examinations. (See app. II and app. III, respectively.) They also concurred with our recommendation that they should jointly analyze this problem and establish a policy that best addresses it. They noted that the subject of separation physical examinations has recently been assigned to a working group of the VA/DOD Non-Medical Benefits Task Force.

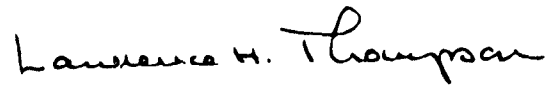
VA and DOD also concurred with our findings regarding veterans’ problems accessing VA dental care because of paperwork errors. They both agreed that our recommendation to the Congress that it remove the DOD dental certification requirement will improve access to VA class II dental care. In addition, they noted that it would eliminate a paperwork and record-keeping requirement.

We are sending copies of this report to appropriate congressional committees, the Secretary of Defense, the Secretary of Veterans Affairs, and other interested parties.

This report was prepared under the direction of David P. Baine, Director, Federal Health Care Delivery Issues; please contact him at (202) 512-7101

if you or your staff have any questions about this report. Other major contributors to the report are listed in appendix IV.

Sincerely yours,

A handwritten signature in cursive script that reads "Lawrence H. Thompson".

Lawrence H. Thompson
Assistant Comptroller General

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Abbreviations

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|-----|--------------------------------|
| DOD | Department of Defense |
| VA | Department of Veterans Affairs |

VA Medical Centers and Veterans Service Organizations Contacted

VA Medical Centers

Albany, New York
Bay Pines, Florida
Boston, Massachusetts
Brooklyn, New York
Milwaukee, Wisconsin
New Orleans, Louisiana
Sepulveda, California
Spokane, Washington
Tampa, Florida
Waco, Texas

Veterans Service Organizations

The American Legion
Disabled American Veterans
Veterans of Foreign Wars

Comments From the Department of Defense



FORCE MANAGEMENT
AND PERSONNEL

ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-4000

AUG 26 1992

Mr. David P. Baine
Director, Human Resources Division
Federal Health Care Delivery Issues
U. S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Baine:

This is the Department of Defense (DoD) response to the General Accounting Office (GAO) draft report, "DEFENSE HEALTH CARE: Physical Exams and Dental Care Following the Persian Gulf War," dated July 14, 1992 (GAO Code 101400/OSD Case 9137). The DoD concurs with the report.

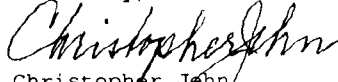
The GAO correctly reported that there is not a standard procedure for separation physical examinations for active duty personnel leaving military service. Each Service is responsible for setting policies related to separation physicals, which did result in some service members being discharged without physical examinations following the Persian Gulf War. While the DoD recognizes the Department of Veterans Affairs concerns about service-connected disability determinations, both Departments are aware that no analysis has been made of the costs to the DoD and the benefits that would be derived by individual veterans in requiring separation physicals for everyone discharged from military service. In response to this concern, the recently established DoD/Department of Veterans Affairs Non-Medical Benefits Task Force assigned that issue to a joint working group on July 30, 1992. The DoD also agrees with the GAO recommendation to the Congress to remove the DoD dental certification requirement, which will allow veterans easier access to dental treatment and will reduce paperwork errors.

The DoD is pleased to note the favorable comments concerning efforts to identify, study and document potential health problems related to troop exposure to burning Kuwaiti oil fires, and other environmental conditions. The DoD is continuing efforts to account for all potential health hazards U. S. personnel may have been exposed to during the Persian Gulf War.

Appendix II
Comments From the Department of Defense

Additional comments on the report findings and recommendations are provided in the enclosure. The DoD appreciates the opportunity to comment on the GAO draft report.

Sincerely,


Christopher Jehn

Appendix II
Comments From the Department of Defense

GAO DRAFT REPORT - DATED JULY 14, 1992
(GAO CODE 101400) OSD CASE 9137

"DEFENSE HEALTH CARE: PHYSICAL EXAMS AND DENTAL CARE
FOLLOWING THE PERSIAN GULF WAR "

DEPARTMENT OF DEFENSE COMMENTS

* * * * *

FINDINGS

FINDING A: Responsibilities Related To Physical And Dental Examinations For Discharged Personnel. The GAO reported that the Services are responsible for setting policies related to physical examination at the time of discharge from active duty, and for conducting the examinations. The GAO found there are no DoD-wide regulations concerning the examinations, while the only statutory requirement is found in Code 3502 and 8502, which requires National Guard and Air National Guard members to receive an evaluation of physical fitness at the end of their Federal service. The GAO also reported that the Department of Veterans Affairs is not involved in establishing policies for separation physical examinations, but Veterans Affairs uses DoD medical records, including those from any separation physical examinations, in adjudicating veterans' claims for disability compensation.

With regard to dental treatment, the GAO reported that most veterans are eligible for Veterans Affairs dental treatment, if their dental treatment needs were not met by the DoD in the 90-days before discharge. The GAO noted, that to obtain the benefit (referred to as class II dental treatment), the veteran's discharge paperwork must specify that all necessary treatment was not provided before discharge. The GAO pointed out that the dental benefit is only available for service-connected, non-compensatory dental conditions, meaning that only conditions that started or worsened during a period of active military service, but not disabling, can be treated under the program. The GAO noted that other programs exist to cover treatment of service-connected, disabling dental problems, as well as emergency treatment. (pp. 2-4/GAO Draft Report)

DoD Response: Concur.

FINDING B: Separation Physical Examinations Vary. The GAO found that separation physical examinations were not routinely provided to all Service members discharged following the Persian Gulf War. The GAO explained that, although not required by Army regulations, most Army Reservist and National Guard members called up for the Persian Gulf War received some form of

Now on pp. 1 and 2.

separation physical examinations. The GAO reported that Army regulations state such examinations are not required for the majority of active duty personnel, but the option is available before discharge. The GAO found, however, the Army changed the policy and ordered separation physical examinations for all members of the Army Reserve and National Guard called up, although some were discharged without an examination.

The GAO reported the Navy regulations require separation physical examinations for most members, but the Navy chose not to require examinations for most called-up Navy Reservists. The GAO found that following the Persian Gulf War, the Navy required s only for the few Reservist who had not been examined in the preceding 12 months. The GAO explained that since the Reservists were given examinations when they entered active duty and most served for less than 12 months, most were not required to receive a separation physical examination. The GAO also noted that the Navy Reservists were given an opportunity to talk with a medical staff member and sign a statement that they had remained in good health since the last examination.

The GAO reported that Air Force regulations do not require separation physical examinations for most active duty personnel, and that policy was maintained for called-up members of the Air Force Reserve and Air National Guard, provided such members were up-to-date on their required periodic physical examinations. The GAO noted that like the Navy, Air Force members were asked to attest to their general health status at the time of separation. The CAO also noted that Military officials cited pressures to get called-up Reserve and Guard members back home as soon as possible, which affected the Service decision making with regard to providing separation physical examinations. (p. 4, pp. 6-8/GAO Draft Report)

DoD Response: Concur. However, in addition to attesting to their general health status at the time of separation like the Navy personnel were requested to do, all Air Force personnel who requested it were given access to medical staff members.

FINDING C: The Effect of Service Variation In Separation Physical Exam Policies. According to the GAO, the variation in the Service separation physical examination policies troubles Veterans Affairs officials, since they consider the examinations to be important in the adjudication of claims for service-connected disability compensation. The GAO explained that the absence of a separation examination can make it difficult for a veteran to prove a claim, especially if the veteran did not seek treatment for the condition at some point during military service, and there is no other evidence the symptoms were present while in the Service.

Now on pp. 2-5.

According to the GAO, DoD and Veterans Affairs officials said no effort is underway to resolve the situation, and no analysis has been made of the cost to the DoD and benefits to individual veterans of requiring separation physical examinations for all service members. The GAO noted, however, that a joint DoD/Veterans Affairs task force has been recently created to deal with a related question regarding timely access by Veterans Affairs to DoD medical records to adjudicate disability compensation claims.

The GAO concluded that, because of the variations in the separation physical examination policies and practices of the Services, Veterans Affairs may have difficulty adjudicating future compensation claims for service-connected disabilities. The GAO also concluded that Veterans Affairs and DoD officials should reconcile the need of Veterans Affairs medical information with the DoD need to expedite separation processing of service members. The GAO suggested that the reconciliation could be found in the establishment of a minimum, uniform separation physical examination that emphasizes a careful cataloging of any health problems experienced during active duty. (p. 4, pp. 8-9, p. 14/GAO Draft Report)

Now on pp. 2 and 3, p. 5,
and p. 8.

DoD Response: Concur. (See DoD response to Recommendation 2.)

FINDING D: Potential Long-Term Health Effects Are Being Studied.

The GAO referred to a January 1992 GAO report (GAO/HRD-92-50, OSD Case 8985), in which it reported that it is not known how exposure from burning Kuwait oil wells or exposure to other environmental conditions may affect veterans in the future. The GAO also pointed out, however, the prior GAO report stated that DoD efforts to assess the potential long-term health effects and keep track of potentially affected service members appear adequate.

The GAO explained that the DoD is not relying on separation physical examination records to track the effects of exposure. The GAO reported that instead the DoD is (1) maintaining a detailed record of environmental conditions, (2) maintaining "who was there" in the Persian Gulf area and (3) collecting extensive air and soil samples. In addition, the GAO reported that a biological surveillance of soldiers from the 11th Armored Cavalry regiment is being conducted.

The GAO reported that some Persian Gulf War veterans have been found to be affected by medical problems besides those associated with oil smoke. The GAO noted that military officials said they are responding to those situations as they arise. The GAO concluded that the steps taken by the DoD to identify potential health problems and keep track of environmental conditions and troop locations during the conflict appear adequate. (pp. 4-5, pp. 9-10/GAO Draft Report)

Now on p. 3 and pp. 5
and 6.

**Appendix II
Comments From the Department of Defense**

DoD Response: Concur. Since the January, 1992, GAO report was issued, the DoD has taken additional actions. For example, in July 1992, the Deputy Secretary of Defense appointed the Army as the Executive Agent in carrying out the directives set forth in Section 734 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (P.L. 102-190). That requires (1) construction of a roster of troops assigned to each military unit that served in the areas affected by the Kuwaiti oil well fires, (2) construction of a file of daily unit locations, and (3) creation and maintenance of a central file containing information on air pollutant levels from a number of locations where troops were stationed over different times.

FINDING E: Few Problems Have Been Experienced In Accessing Dental Treatment After The Persian Gulf War. The GAO reported that regulations state Veterans Affairs can only provide class II dental care when a veteran's discharge paperwork states the military did not provide all the necessary dental care before separation. The GAO also reported that the military regulations require clerks to check the dental treatment record when completing the discharge document, and to include the entry from the dentist stating whether or not the member received an examination and all required treatment.

The GAO found that at least several hundred veterans were denied dental treatment, because the DoD incorrectly prepared discharge papers. The GAO reported that DoD officials said the completion of the dental records is prone to error, especially during a time such as that following the Persian Gulf War, when many service members are being processed for separation in such a short time.

Overall, the GAO concluded the denial of access of Veterans Affairs dental treatment for Persian Gulf War veterans does not appear to be widespread, and appears to stem from the heavy separation processing demands in the months after the conflict. The GAO observed that the dental access problem would be preventable in the future, if the DoD did not have to specify on discharge papers whether dental care was provided. The GAO explained that Veterans Affairs could use its own dental examinations and dental records of veterans to establish eligibility. The GAO concluded, therefore, that removal of the DoD certification requirement would not significantly alter the nature or scope of the dental benefit. The GAO pointed out, however, that such a change would require legislation. (p. 5, pp. 11-15/GAO Draft Report)

DoD Response: Concur. The DoD agrees that removal of the requirement for DoD certification would prevent such problems in the future. (See DoD response to Recommendation 1.)

Now on p. 3 and pp. 6-8.

* * * * *

RECOMMENDATION TO THE CONGRESS

RECOMMENDATION 1: The GAO recommended that the Congress amend Section 1712 to Title 38, U.S. Code--the law creating the class II dental benefit--to remove the DoD dental certification requirement. The GAO suggested legislative language to accomplish that action as follows:

SEC: _____. ELIMINATION OF DENTAL CERTIFICATION.

(a) REPEAL OF DENTAL CERTIFICATION WITH VETERAN'S CERTIFICATE OF DISCHARGE.--Section 1712(b) (1) (B) of Title 38, United States Code, is amended (1) by striking clause (iv); (2) by striking the "and" at the end of clause (iii); and (3) by placing the word "and" at the end of clause (iii).

(b) Subsection (a) is effective with respect to a veteran's certificate of discharge or release from active duty issued on or after the date upon which that subsection is enacted. (p. 15/GAO Draft Report)

DoD Response: Concur. Removal of the requirement for DoD certification would prevent separated service members being denied access to veterans' benefits because of inaccurate dental classification. Not only would the change unencumber the service member in his or her pursuit of dental benefits from Veterans Affairs after discharge, it will eliminate a paperwork and record keeping requirement for the DoD.

* * * * *

RECOMMENDATION TO THE DEPARTMENT OF DEFENSE

AND DEPARTMENT OF VETERANS AFFAIRS

RECOMMENDATION 2: The GAO recommended that the Secretaries of Defense and Veterans Affairs analyze the trade-offs of providing examinations and establish a policy on separation examinations that balances the separation processing needs of the military with the Veterans Affairs need for data to support the disability compensation claims adjudication process. (pp. 15-16/GAO Draft Report)

DoD Response: Concur. The Department of Defense agrees that the DoD and the Department of Veterans Affairs should reconcile the need for medical information with the DoD need to expedite

Now on p. 9.

Now on p. 9.

Appendix II
Comments From the Department of Defense

separation processing of service members. The DoD/Department of Veterans Affairs Task Force on Non-Medical Benefits, which had its first meeting on July 30, 1992, has designated that issue as one of its first joint initiatives to be assigned to a working group. The Working Group will report to the Non-Medical Benefits Task Force on a quarterly basis beginning in October 1992, and a joint report and draft recommendations are anticipated to be presented to the Task Force by January 1993.

Comments From the Department of Veterans Affairs



THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON

SEP 11 1992

Mr. David P. Baine
Director, Federal Health Care Issues
U. S. General Accounting Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Baine:

I have read your draft report, DEFENSE HEALTH CARE: Physical Exams and Dental Care Following the Persian Gulf War (GAO/HRD-92-117), and I agree with your findings, conclusions, and recommendations. Differences in individual military branches' separation examination policies have led to problems in the Department of Veterans Affairs (VA) processing of compensation claims and eligibility for class II dental care.

A single DoD policy on separation examinations should balance DoD's separation processing needs with VA's need for data to support adjudication of disability compensation claims. Last month, VA and DoD convened a task force on non-medical benefits and addressed this issue.

In addition, I support elimination of the DoD dental certification requirement. It should prevent potentially eligible veterans from being denied access for VA dental care because of administrative errors made on their discharge or release from active duty forms, the DD 214. GAO's suggested legislative language is acceptable to us.

Thank you for the opportunity to comment on this report.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Edward J. Derwinski".

Edward J. Derwinski

EJD/vz

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