Dear Secretary McDonough:

I am writing to you today on behalf of Veterans and their families in the X Congressional District of X to express my concern about the impact of The Department of Veterans Affairs’ (VA) federal supremacy project on the delivery of team-based anesthesia care for Veterans. As VA works to establish national standards of practice for all health care professionals in VA medical facilities, I am greatly concerned that the removal of physicians from the team unnecessarily lowers the standard of care in VA facilities and puts the health and lives of Veterans at risk. I respectfully urge you to uphold the team-based model of care where physician anesthesiologists and nurse anesthetists work together as the national standard of practice for surgical anesthesia in VA health care facilities.

The longstanding team-based, physician-led model of anesthesia care was formalized in the VA final APRN rule, effective January 2017, after a multi-year rulemaking process that involved a record number of 200,000 comments by Veterans and their families in favor of the anesthesia care team. This issue has been thoroughly researched, debated and considered by VHA. In fact, team-based care is the predominant model in the nation’s top hospitals and is the care model for 96% of civilians in the United States. Yet, there have been continued efforts to dismantle the anesthesia care team in VA which would lower the standard of care Veterans receive and deny them access to the care 96% of civilians receive in private hospitals.

The April 2020 Stone Memo was issued unilaterally without consulting VA’s own anesthesiology experts. Titled “CRNA Practice During the COVID-19 National Emergency” and initiated by then Acting Under Secretary of Health, Richard Stone, MD, the memo “strongly encourage[s]” VA facilities to change their bylaws to utilize the nurse-only model of anesthesia care in lieu of the current physician-nurse team-based model of anesthesia care. As stipulated by an interim final rule last November, VA has confirmed its authority to circumvent state scope of practice laws and announced it will develop national practice standards through subregulatory action. I am gravely concerned the April 2020 memorandum will be made permanent through these federal supremacy standards. While more than 350 VA Anesthesiologists have invoked one of VA’s most important whistleblower programs, “Stop the Line”, three times with no response from VA leadership, I sincerely hope any subregulatory action will involve the input of VA’s own experts and public stakeholders. In the “Stop the Line” communication addressed directly to the VA Secretary, VA anesthesiologists noted that the policy goals of the Stone memo “jeopardizes the quality of Veteran health care and unnecessarily puts our Veterans at increased risk.”

Veterans have sacrificed a great deal to serve our country and deserve the highest quality health care services—it is not fair to offer them anything less. Veterans are a distinct patient population with underlying conditions such as diabetes and heart disease that put them at high-risk during surgery. Moreover, as we begin to understand the heightened risks faced by Veterans suffering from exposure to Burn Pits and Agent Orange, such as serious respiratory diseases, Parkinson’s Disease and certain cancers, it is particularly important to have physician involvement in the care of Veterans. These exposures can make anesthesia care more complex which necessitates the involvement of a highly skilled physician anesthesiologist during surgery.

Please uphold the team-based, physician-led anesthesia care team model as the national standard of practice. This proven model prioritizes patient safety, increases access to quality care and ultimately yields better outcomes for our nation’s Veterans. To be clear, Veterans do not deserve a lower standard of care than civilians receive in private hospitals. This policy change unnecessarily puts the health and lives of Veterans at risk. Thank you for your consideration of this important matter.

Sincerely,
Member of Congress
XX Congressional District