

**SENATE COMMITTEE ON VETERANS' AFFAIRS**

**VETERANS' MEDICAL PERSONNEL RECRUITMENT AND  
RETENTION ACT OF 2008**

**Testimony Submitted By  
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Mr. Chairman and members of the Senate Veterans Affairs Committee, the Nurses Organization of Veterans Affairs (NOVA) would like to thank you for inviting us to present testimony on the Veterans' Medical Personnel Recruitment and Retention Act of 2008.

I am Cecilia McVey, BSN, MHA, RN Associate Director for Patient Care/Nursing at the VA Boston Healthcare System and am here today as the Immediate Past President of NOVA. NOVA is the professional organization for registered nurses employed by the Department of Veterans Affairs.

NOVA respects and appreciates what our labor organizations such as AFGE and NAGE do for VA nurses. NOVA clearly deals with VA on RN professional matters, not working conditions for which VHA RNs have their union representatives. Because this Committee has invited NOVA to share its views on this bill, however, I am here to offer the following observations.

NOVA has identified retention and recruitment of healthcare staff members as a critically important issue in providing high quality health care to America's heroes. As Veterans Health Administration (VHA) executives face growing vacancies, elevated turnover due to retirements and increasingly complex care delivery, the demands on the workforce today are greater than ever.

NOVA supports the Veterans' Medical Personnel Recruitment and Retention Act of 2008 based on the following rationale.

- Waiver of offset from pay for certain reemployed annuitants will allow VA to bring back a corporate and clinical knowledge housed in these individuals and allows VA to utilize some of its most precious resources. During this time of a critical nursing shortage, it is more important than ever to keep these valuable resources to provide the best care to veterans. There aren't comparable restrictions on nurses who retire from the military.

- Senior Executive Schedule Position in VHA is critical to ameliorate the pay inequities which have grown with each subsequent year. Nurse Executives and Medical Center Directors, for example, do not receive pay comparable with their peers in the private sector. This underscores the need for VA to move quickly to remedy a problem that is already manifesting itself in turnover and in recruitment problems for key upper level positions in the VA. The mean salary, for example, for a Nurse Executive is \$129,000. Many Nurse Executives did not receive additional pay in the form of a bonus that is included in retirement computation under Public Law 108-445, because the bonus was not mandatory.
- There is a need to increase the pay limitation contained in 38 USC 7451 (c)(2) for VA nurses from level five (currently \$136,200) to level four (currently \$145,400) of the Executive Schedule to address the pay disparity between the nurse five maximum rate and the GS-15 maximum rate in some geographic areas.
- A change to 38 USC 7451 is needed to increase the pay cap under the nurse locality pay system. With an increase to EL-4, each nurse pay schedule, which is currently limited by the EL5 cap, would be recalculated based upon the existing beginning rate for the grade. This change would also favorably affect the same issue which pertains to the Certified Registered Nurse Anesthetists (CRNA). Presently, the pay of 286 of the 531 CRNA's (54 percent) in VA is frozen at the Executive Schedule, Level V (\$139,600). A search of a commercial website that lists job openings for CRNA's revealed that in 66.8 percent of the listings, the potential pay rates exceeded the VA cap.
- Information and training on Locality Pay Surveys would also assist in applying a law which is not flawed but merely needs the appropriate application in order to be successful. VA nurses are concerned they do not receive appropriate pay raises due to this inappropriate application of the law which impacts both recruitment and retention during this critical nursing shortage. We support any

and all activities that lead to increased education and enhancement as well as knowledge of application of Locality Pay Law.

- Reestablishment of the Health Professionals Scholarship Program (for non-VA employees) needs to be reinstated to compete for recruitment of students, who are not currently VA employees.

NOVA's recommendation would be to include the addition of the following to Section 4 – Improvements to Certain Educational Assistance Programs and reinstate the scholarship program, as described in USC 7611-7618 (expired 1988) with the following additional provisions.

- Qualifying education or training leading to employment in Title 38 or Hybrid Title 38 Occupation. Priority for funding of the occupation education to be determined by the Department of Veterans Affairs based on recruitment needs.
- Provision of funding at 25 million dollars per annum. These additional monies would allow funding of other high need occupations such as pharmacists, since the law that expired did not include all Title 38.
- Inclusion of the revised definition of nurses who wish to work the 36/40 work week as utilized in the community will address this misinterpretation of the statement in the current VHA handbook and should read, "The Secretary may provide, in the case of nurses employed at such facility that such nurse who works six regularly scheduled 12 hour periods of service within a pay period shall be considered for all purposes to have worked a full 80 hour pay period." Currently use of this retention tool has been rendered ineffective and not applicable because of the interpretation.
- NOVA also requests your support to eliminate the 19<sup>th</sup> step restriction under the special rate authorization for LPN/LVN as had been done previously for Physical

Therapists and Pharmacists based on the highly competitive market for this occupation. This has been a longstanding issue and we look forward to its resolution of this critical and worthy group of caregivers that we are consistently unable to hire due to current regulations.

NOVA appreciates the Senate Committee on Veterans Affairs attention to these timely actions to further enhance the VA workforce.