

Wheelchairs— Your Options & Rights

A Guide to Department of
Veterans Affairs Eligibility

Second Edition



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Contemporary wheelchairs are a great improvement over previous chairs. Today's wheelchairs now are lightweight and fully adjustable, providing greater comfort and ease of use.

A Word from PVA

■ **T**he Paralyzed Veterans of America (PVA) has published this guide for the benefit of veterans with disabilities who require the use of a wheelchair, to help them understand the requirements for receiving wheelchairs from the United States Department of Veterans Affairs (VA). The guide explains who is eligible to receive a VA-issued wheelchair and the process for obtaining one. It also describes the number and kinds of wheelchairs that are available to veterans, depending on their individual entitlement status, and the process for appealing decisions about wheelchair issuance. VA's Prosthetic and Sensory Aids Strategic Healthcare Group in Washington, DC, has reviewed the guide. PVA furnished copies to every VA Medical Center with a Prosthetic Treatment Center, Prosthetic and Sensory Aids Service, or PSAS activity.



To help you make an informed decision when selecting a wheelchair, PVA has published *A Guide to Wheelchair Selection—How to Use the ANSI/RESNA Wheelchair Standards to Buy a Wheelchair* (1994). (ANSI-American National Standards Institute/RESNA—an interdisciplinary organization committed to the advancement of people with disabilities.) Therapists, rehabilitation engineers, and others involved in the wheelchair selection process will find this book extremely useful. The book provides information about the ANSI/RESNA wheelchair standards in a nontechnical format and in easy-to-understand language. The guide explains the rationale for each test procedure and briefly describes the method used, the meaning of the disclosed information, and how to use this information to

Wheelchairs from the 1800s were large, with beautiful cane work for the seat and back. However, they were bulky, required a second person to push, and provided little comfort or padding for seating.

compare wheelchairs. Illustrations provide a visual explanation of each procedure. *A Guide to Wheelchair Selection* is available free to PVA members and for \$9.50, plus \$2.50 postage and handling, for others. For information or to purchase a copy, call the PVA Distribution Center toll-free at (888) 860-7244.

Before selecting a wheelchair, you may also wish to obtain a copy of the March/April issue of PVA's magazine, *Sports 'n Spokes*. Every year in that issue PVA presents the results of its annual survey of light-weight wheelchairs, available from a variety of manufacturers. This survey provides up-to-date information on wheelchairs and wheelchair technology. To get a copy, send \$4.00 along with your request for a copy of the latest March/April issue, to *Sports 'n Spokes*, 2111 East Highland Avenue, Suite 180, Phoenix, AZ 85016-4702.

PVA, founded following World War II, is a congressionally chartered veterans service organization. The organization has developed a unique expertise on a wide variety of issues involving the special needs of our members—veterans of the armed forces who have experienced a spinal cord injury or dysfunction. PVA uses that expertise as a leading advocate for:

- Quality health care for our members;
- Research and education addressing spinal cord injury and dysfunction;
- Benefits available as a result of our members' military service; and
- Civil rights and opportunities that maximize the independence of our members.

In addition, PVA employs more than 100 trained professionals to represent veterans with claims for VA benefits and medical care. PVA's representatives work in concert with VA prosthetic representatives in obtaining appropriate and approved prosthetic and orthotic appliances authorized by law for specific disabilities. For assistance call PVA's Veterans Benefits Department at (800) 232-1782.

Am I Eligible to Receive a Wheelchair from VA?

■ **VA** can give you wheelchairs to help you overcome the limitations imposed by your disability(ies) if you meet the established criteria for receiving prosthetic services. Your eligibility for issuance of prosthetic equipment is determined by the prosthetic service at your local VA medical facility. Public Law (Pub.L.) 104-262, The Veterans' Healthcare Eligibility Reform Act of 1996, which became effective October 9, 1996, made eligibility rules the same for both inpatient hospital care and outpatient medical services. The law repealed the former requirement that certain care only be provided "in preparation for hospital admission or to obviate the need of hospital admission," or "to complete treatment incident to" hospital, nursing home, domiciliary, or outpatient care. You must now be enrolled and receiving medical services from a VA hospital or outpatient clinic.

If you meet the criteria shown in Table 1 (Page 4), VA shall provide you with prosthetic services.

In simplifying the eligibility criteria for prosthetic services, Pub. L. 104-262 eliminated the prohibition against VA furnishing prosthetic devices on an outpatient/ambulatory care basis.

In addition to meeting the eligibility criteria shown in Table 1, you must have one of the following mobility impairments:

- Your disability requires the use of a wheelchair, even though you are able to stand and transfer, or you have a temporary disability and no special features or modifications to the wheelchair are required; or
- You have the anatomical loss or loss of use of both legs or the anatomical loss of one leg combined with the loss of use or severe impairment of the other leg, which requires the constant and continued use of a wheelchair; or
- You have the anatomical loss or loss of use of at least one leg, which prevents participation in normal sports activities.

Table1
Eligibility Criteria and Enrollment Priorities for VA Medical Care and Prosthetics After Enactment of Public Law 104-262

Category	Hospital and Outpatient	Enrollment Priority Category
Service-connected 50%-100%	Shall	1
Service-connected 30%-40% for service-connected condition	Shall	2
Service-connected 30%-40% for nonservice-connected condition	Shall	2
Service-connected 10% or 20% for service-connected condition	Shall	3
Service-connected 10%-20% for nonservice-connected condition	Shall	3
Prisoner of War	Shall	3
Discharge for Disability	Shall	3
Injured as a result of VA medical care or Vocational Rehabilitation (Section 1151)	Shall	3
Pension with aid and attendance or housebound	Shall	4
Catastrophically Disabled (These are nonservice-connected vets. SC vets would fall into another category)	May, with co-pay subject to income level	4
Medicaid eligibility	Shall	5
Nonservice-connected pension recipient, or income below the means test threshold	Shall	5
World War I Veteran	Shall	6
Mexican Border Period Veteran	Shall	6
Exposed to Agent Orange, environmental hazard, or ionizing radiation	Shall	6
Service-connected 0%, for service-connected condition	Shall	7
Service-connected 0%, for nonservice-connected condition	May, but subject to copays	7
Nonservice-connected, income below means test threshold	May, but subject to copays	7

How Do I Obtain a Wheelchair?

■ **A**ll requests for prosthetic appliances and services to a VA Medical Center are referred to its prosthetic services for action and disposition. This includes requests made in person, by telephone, or by mail.

Your request for a wheelchair will likely be referred to the facility's prosthetic clinic team or major medical equipment committee for finalization of the medical prescription. If there are no teams at your facility, a VA staff physician will examine you and determine your medical need and prescribe the wheelchair and any necessary accessories.

The prosthetic clinic team consists of a physician, a rehabilitation therapist, and a prosthetics representative. The physician will write the actual prescription for the wheelchair after consultation with the rehabilitation therapist, prosthetics representative, and patient. The prosthetics representative will purchase the wheelchair, follow up on the order, expedite delivery if necessary, help set up the wheelchair, and ensure that training is provided on the safe operation of the wheelchair. The prosthetics representative also recovers used wheelchairs and equipment, when those items are no longer needed by the user.

Medical feasibility and your need for a wheelchair are determined through a physical examination, which is generally performed by the physician or a therapist who specializes in physical medicine and rehabilitation. He or she should measure and fit you for a wheelchair at the examination. If you are hospitalized, the examination will be conducted at the hospital. If you are an outpatient, the examination is conducted at the VA medical facility closest to your home.

This lightweight wheelchair may be used in rough terrain.

After the examination, the physician or therapist will write a prescription detailing the type and specifications of the wheelchair. Most often the type of wheelchair is selected after careful discussion between the patient, physician or therapist, and prosthetics representative. You may choose the manufacturer, type, and color of your wheelchair, unless your choice is medically inappropriate for your needs. If you are not sure of a specific manufacturer, the prosthetics service personnel will tell you about the products available from all manufacturers under VA contracts to provide wheelchairs.

VA lends wheelchairs when patients require them for short periods of time (one year or less), such as when patients have temporary disabling conditions. VA makes periodic follow-ups at 6- and 12-month intervals. Veterans may take these wheelchairs with them if they move. Veterans who lose eligibility for prosthetics services are notified that their eligibility has terminated. VA may recover any items from veterans or decide to issue the wheelchairs permanently. Direct any questions concerning the status of your appliances to your local area prosthetics chief or PVA representative.

Each VA medical facility may have a slightly different internal process for handling wheelchair requests. The general process can be simplified as follows:

- Patient obtains the medical prescription.
- Patient is evaluated and fitted.
- VA personnel verify patient's prosthetics eligibility.
- VA orders the wheelchair.
- Manufacturer delivers the wheelchair and VA follows up.

You may wish to discuss the specific process used by your VA medical center with the facility's prosthetics representative or your PVA National Service Officer.

How Many and What Style Wheelchairs Can I Receive?

■ If you are an eligible veteran who requires the constant and continued use of a wheelchair, you may receive up to three wheelchairs. The first wheelchair is issued for your primary daily use. A second of equal quality will be issued as a spare or backup, for those times when your primary chair is being repaired or is otherwise unavailable.

The quality of your backup wheelchair should be equal to your primary chair. Because of wear and tear on your primary chair, your backup chair will, most likely, eventually become your primary wheelchair. The original primary chair can then be replaced with a new wheelchair as a backup. The new chair may be the same as the original or may be a different make or model, as you and your physician determine.

A third wheelchair may be issued for use during sports activities, such as wheelchair racing or marathons, basketball, tennis, rugby, and so on. Generally, sports-model wheelchairs are designed for specific activities and are not appropriate for everyday use. For instance, it would be difficult, if not impossible, to maneuver a three-wheeled racing wheelchair at home. However, this does not mean that a sports model, such as a rigid-frame tennis or basketball wheelchair, cannot be issued as a primary or spare wheelchair. VA will provide you a sports wheelchair in lieu of a primary or spare wheelchair if it is appropriate for your everyday use in a given situation. VA considers each case individually, as each case is unique. You may receive a rigid-frame wheelchair (tennis or basketball model) as your primary wheelchair, another rigid- or folding-frame wheelchair as a spare, and a specialized racing wheelchair as a sports model.

For VA to issue a sports-model wheelchair as a third wheelchair, you should be actively engaged in a sport or recreational activity that requires a specially designed wheelchair, and your participation must enable you to obtain a higher level of rehabilitation. If you do not require the constant and continued use of a wheelchair, VA may still issue a sports wheelchair if you have the loss or loss of use of at least one leg that prohibits participation in normal sports activities.

Many VA prosthetics services have wheelchairs available in stock for immediate issuance when the need arises. You may elect to receive one of these wheelchairs if it is appropriate for your needs. Do not accept a wheelchair that fits you improperly. Don't forget, VA allows you to choose the manufacturer, type, and color of each wheelchair from among those available under existing VA contracts, unless the chosen wheelchair is inappropriate for your size or physical condition.

If your primary wheelchair is motorized, VA will not generally issue a spare motorized wheelchair. VA will provide a manual wheelchair for back-up purposes; however, for unusual circumstances and severe hardship situations, a spare motorized wheelchair will be considered. Motorized wheelchairs can be issued if you have anatomical loss or loss of use of both legs, combined with a loss, loss of use, or severe impairment of both arms to the extent that you are unable to satisfactorily propel a manual wheelchair. You must have enough strength and control to operate the motorized wheelchair safely, and you should try the wheelchair where you will use it. If necessary, the chief of the prosthetics service may make a visit to assess the environment in which you will use your wheelchair.

If you need to be in an upright position for continuing rehabilitation to increase your blood circulation, reduce the incidence of pressure sores, increase muscle tone, or for any other medical reason, VA may issue you a standing wheelchair as either your primary or secondary wheelchair. A standing wheelchair can be manually or electronically operated, temporarily placing the user in a stationary standing position. The major medical equipment committee will determine the proper type.

"The psychological benefits of standing are great. With a 'standing wheelchair' you can have access to the environment and eye contact at the same level as other people. Recreational opportunities, such as dancing, archery, darts, golf, and cooking, are enhanced in the standing position. So are vocational opportunities."

Peter Axelson, MS, ME

When medically necessary, VA may issue you a hand-operated cycle as a substitute for either a sport or second wheelchair. These devices are generally configured with three wheels, although there is a two-wheel, true bicycle version available. These devices have a hand-cranked chain-drive system that functions as both the handlebar and pedal mechanism of standard cycles. The hand crank allows the rider to power (pedal), steer, and brake the front wheel without releasing the hand grips. These devices are used for exercise and self-powered transportation. Hand cycles, if prescribed by a physician who determines that the equipment is necessary for your care and treatment, can be provided as therapeutic and rehabilitative devices. VA's General Counsel has determined that this type of equipment may be furnished to eligible veterans under VA's authority to issue wheelchairs.

If your disability requires the use of a wheelchair that is not a standard or conventional configuration, VA may issue you an experimental wheelchair. This category of wheelchair includes unusual, special, or newly developed items that have not been issued by VA and that may require evaluation by VA. Requests for such items are reviewed by the major medical equipment committee or by a physician who specializes in rehabilitation medicine. These wheelchairs may require approval by VA's Prosthetic and Sensory Aids Strategic Healthcare Group in Washington, DC.

The justification and medical feasibility for an experimental wheelchair must be given in a statement from your primary physician about your condition, including your functional limitations and the reasons why the particular wheelchair is required. A member of the area prosthetics clinic may make a home visit to obtain information about accessible space, floor plan, and other factors that make this equipment necessary when more conventional devices or methods are not feasible. Your ability to use the wheelchair or the availability of others to help you use it must be documented by the prosthetic clinic or its designee.

On occasion, a VA hospitalized patient will require a wheelchair for a specific period of time. The treating physician should complete a prescription for temporary issuance of a wheelchair during hospitalization.

What Kinds of Wheelchair Accessories Can VA Issue?

■ **W**heelchair manufacturers make many different kinds of accessories, including custom seat cushions, larger footrests, leg extenders, modified pushrims, removable arm or leg rests, anti-tipping devices, wheel locks, adjustable/custom backrests, and semipneumatic or high pressured tires.

If your disability requires the issuance of a motorized wheelchair, VA will provide batteries and a battery charger, since these are necessary components. Other accessories to the wheelchair may be added, such as a chin-operated joystick or a sip-and-puff controller. If you have residual strength in one or both arms, careful consideration will be given to issuing a manual wheelchair equipped with a one-arm drive or modified handrims. If there is an accessory available for the wheelchair you have selected that you feel is necessary to accommodate your disability, you should request the item from your prosthetics representative.

Will VA Repair My Wheelchair?

■ **VA** has the authority to repair the wheelchairs it issues to you if you are enrolled and receiving care from a VA hospital or clinic. Wheelchair repairs include parts replacement, alterations, modifications, or additions to a wheelchair furnished by VA. You should submit your request for repairs to the prosthetics representative or prosthetics clerk. Wheelchairs may be repaired if the cost of the repair is less than half the cost of replacement of the wheelchair. The prosthetics representative will determine whether it is more economical or practical to repair or replace the wheelchair.

Wheelchairs built during the 1970s were an improvement over those built during the previous century, being smaller and lighter. However, they were still quite heavy and bulky.

Repairs may be obtained locally. In cases of substantial repairs, you may need to take the wheelchair to the local VA facility for inspection, or arrangements will be made for a repair shop to give an estimate before VA grants approval for the repair.

Some VA medical centers have their own wheelchair repair shops. You may usually obtain needed repairs from these shops if you are eligible for prosthetics services. Some shops work primarily on inpatient or hospital wheelchairs and may limit services to outpatients. Check with your local facility to determine if they have a wheelchair repair shop and, if so, what their policy is for providing service.

VA may issue you a Prosthetic Service Card when you receive your wheelchairs. The card preauthorizes certain wheelchair repairs, usually not to exceed \$100. If repairs to your wheelchair will exceed this limit, the prosthetics representative can approve the repair over the telephone. VA may reimburse travel to obtain repairs paid for with the card.

Only the local VA at which the veteran is treated can furnish Prosthetic Service Cards. The chief of prosthetic activity is responsible for the overall administration of the program. These cards are not issued to veterans who live in a foreign country nor to allied veterans who live within the United States.

If your wheelchair requires repair and you are enrolled at the local VA, but you are unable to obtain advance authorization, you may be reimbursed for the repair if you file a timely claim with appropriate documentation. You must show that the repairs were necessary and urgent, that you did not select the vendor to avoid using authorized sources, and that the cost was reasonable. If VA deems the cost excessive, the claim may be allowed for the reasonable cost and the remainder of the cost disallowed. Repair costs are not paid for intentional damage or damage caused by your negligence.

Will VA Replace My Wheelchair?

■ Replacement of wheelchairs may be authorized without a physical examination, new prescription, or wheelchair inspection if appropriate prosthetics personnel know that you have no new medical problems and if one of these three conditions exists:

- The wheelchair no longer meets your requirements.
- Repair costs exceed half the replacement costs.
- The wheelchair has been lost or destroyed as a result of circumstances beyond your control.

If your wheelchair is unsuitable for your physical size or condition, you will need a new evaluation and prescription.

Replacement of previously approved special wheelchairs does not require additional approval when the chair is being replaced because of normal wear and tear or justified loss or destruction. However, replacement of experimental wheelchairs still in the experimental phase does require a specific reapproval.

If negligence or willful destruction of your wheelchair is suspected, the local chief medical officer decides whether a replacement will be issued, depending on the circumstances. Officials at VA's Prosthetic and Sensory Aid Strategic Healthcare Group in the Washington, DC, Central Office may be consulted.

A replacement wheelchair will not be authorized merely because you want a newly manufactured model or just because your wheelchair has been in use for a particular length of time. When you no longer need the wheelchair and it is still serviceable and not intended for use as a spare, VA will recover it for reissue to another veteran.

How Do I Appeal VA's Decisions Regarding the Issuance of Wheelchairs?

■ **Y**ou may not appeal a physician's determination that a wheelchair, or a specific type of wheelchair, is not required or appropriate for you, since the Board of Veterans' Appeals does not have authority to review medical determinations. You may solicit a second opinion from a different physician or therapist.

You can appeal decisions regarding eligibility to receive a wheelchair, as well as other administrative decisions regarding the issuance of wheelchairs. If you wish to appeal, you can initiate the appeal process by submitting written notice of disagreement (NOD) with the decision within one year from the date of the written notification of the decision. (Do not accept a verbal denial.) Address your NOD to the Chief, Prosthetic and Sensory Aids Service, at the VA medical facility where the decision was made. Refer to VA Pamphlet 01-95-1, "Understanding the Appeal Process," for more information on appeals. Copies of this pamphlet may be obtained from any VA office or PVA National Service Office.

PVA does not encourage filing appeals on prosthetics issues, except as a last resort, since appeals can take two or more years to complete. There are other avenues that you can and should take before the official appeal. Start by contacting your PVA National Service Officer, who is familiar with VA regulations and can deal directly with the people who made the adverse decision. He or she may be able to help you obtain a more favorable decision. Our representatives keep the PVA National Office apprised of issues regarding the issuance of wheelchairs and other prosthetic items. If it is appropriate, the PVA national staff may initiate an administrative review of your local VA's decision by the VA Prosthetics and Sensory Aids Strategic Healthcare Group. If necessary, the decision can be appealed if all other efforts fail to resolve the issue favorably.

This guide has given an overview of the eligibility requirements and process for obtaining wheelchairs from VA. You can get more information or assistance by calling PVA's Veterans Benefits Department at (800) 232-1782. We'll take your name and phone number and have the local PVA National Service Officer call you.



Veterans Benefits Department
801 Eighteenth Street, NW
Washington, DC 20006
(202) 872-1300 Voice
(202) 416-7622 TTY
(800) 232-1782 Voice
(800) 795-4327 TTY

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