

## **VA HAS NO PLANS OF ‘EVER DOING ANYTHING’ ABOUT DISABILITY RULE, OFFICIAL SAYS**



On Tuesday, a group of 21 Democrats and Independent lawmakers sent a letter to the VA urging that the rule be immediately revoked.

A top Department of Veterans Affairs official said the VA has no plans to implement a new rule that [veterans advocates fiercely resisted](#) when it was announced last week.

“Our intentions were to put out a rule, which we thought would clarify our processes,” VA Deputy Secretary Paul Lawrence said on Sunday while addressing a conference held by Disabled American Veterans, or DAV. “But obviously, it did not. So we withdrew the rule. And candidly, we have no intention of ever doing anything or talking about it ever again.”

It was not immediately clear whether Lawrence’s comments indicate that the VA intends to fully rescind the rule, which has not been formally revoked. VA Secretary Doug Collins announced on Feb. 19 that the rule “will not be enforced at any time in the future,” but he did not specify if the move was permanent. Collins added that the VA will continue to collect public comments on the rule.

A wide spectrum of veterans service organizations criticized the VA last week over the interim rule, under which the VA would have considered the effectiveness of medications and treatment when assigning disability ratings.

“If medication or treatment lowers the level of disability, the rating will be based on that lowered disability level,” according to the rule.

First published in the Federal Register on Feb. 17, the rule is technically still on the books for now, even though the VA has chosen not to enforce it, said Anthony Kuhn, a managing partner at the Tully Rinckey law firm.

**“They’ve essentially frozen the rule, but they’ve already enacted it,” Kuhn told Task & Purpose. “It is an enacted rule. But they’re not enforcing it right now. So, they’ve opened it up for comments. I think they immediately received more than 10,000 comments. Once the comment period closes out, they’ll go back and determine whether they’re going to continue the rule or whether they’re going to revoke it.”**

**Kuhn said he expects the VA to ultimately revoke the rule at the end of the comment period on April 20 or as the result of a future lawsuit.**

**On Tuesday, a group of 21 Democratic and Independent lawmakers [sent Collins a letter](#) urging the VA to immediately revoke the rule, which remains listed in the [Federal Register](#), the official daily publication of rules, proposed rules, and notices for the federal government.**

**“Without a complete and permanent rescission, veterans across the country will have to confront the unnecessary dilemma of continuing life-improving treatment for their conditions even though it could lead to a reduction in the benefits they have earned and desperately need,” wrote the lawmakers, including Sen. Richard Blumenthal (D-Conn.) and Rep. Mark Takano (D-Calif.), the ranking members of the Senate and House Veterans Affairs Committees respectively.**

**The lawmakers requested that the VA let them know by March 2 what steps the department is taking to suspend the rule and provide a timeline for rescinding or replacing it.**

**They also asked for information about any reviews conducted by the VA or any other organization about the effects of medications on service-connected conditions, which conditions and diagnoses are “meant to be targeted by the rule,” and how many veterans would be affected by it.**

**VA spokesman Pete Kasperowicz said last week that the department had been determining ratings this way since 1958 and the rule “will have no impact on any veteran’s current disability rating.” But veterans advocates argued the rule would penalize veterans for undergoing treatment for their conditions and warned that some might stop taking prescribed medications to avoid getting a lower rating. Following days of tumult, Collins announced the VA was “halting enforcement” of the rule.**

**Speaking at DAV’s Mid-Winter Conference in Arlington, Virginia, Lawrence acknowledged veterans’ concerns and said the VA had learned it needs to communicate better with them.**

**However, Lawrence expressed “disappointment” at veterans advocates who argued or implied that the VA intended to use the rule to cut benefits, noting that both he and Collins testified at their confirming hearing that they would never do so.**

**“We value your partnership,” Lawrence said. “We welcome where you disagree with us, in part because we know you’re special partners and we agree on so much together. So please, don’t speculate on our position about cutting benefits when our actions are so clear.”**

**Lawrence added that the VA was also extremely disappointed in a Washington Post article in October that claimed that the disability claims process was “prone to rampant exaggeration and fraud.” The article is one of the latest examples of ongoing calls to limit veterans benefits.**

**Barry Jesinoski, DAV’s national adjutant, said that the group agrees with a point that Lawrence made about the rule: “We’re never going to talk about it again.” Jesinoski also thanked Lawrence for saying that the VA and DAV need to communicate better.**

**“Grandstanding is not our gig,” Jesinoski said. “Advocating for those that we serve is our gig. And when you have the ball, and we don’t know where it’s coming out, sometimes we’re going to have to respond.” Jesinoski vowed to communicate with Lawrence, adding that the group prefers to meet with him personally about any upcoming issues that could be controversial.**

**“Perhaps you’d like to find out what our opinion is prior to going live with something,” Jesinoski said.**

***UPDATE: 02/24/2026: This story was updated after publication with information about a letter from Democratic and Independent members of Congress to Department of Veterans Affairs Secretary Doug Collins.***

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