

Congress of the United States
Washington, DC 20515

February 4, 2011

Secretary Robert M. Gates
Department of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Gates:

As you may know, members of the Congressional Brain Injury Task Force, as well as other supportive Members of Congress, have written in the past in support of TRICARE covering cognitive rehabilitation for service members with brain injuries. In 2008, then-Senator Obama and then-Senator Bayh led letters with eight members of the Senate and over 65 House members. Two years later, the Department is still studying the issue and does not expect to make a decision on the results of a study mandated by the National Defense Authorization Act for Fiscal Year 2010 anytime soon.

We hope you share our concern that service members returning from the battlefield today cannot wait to receive treatment for their injuries. Yet without a specific waiver applicable only under very unusual and limited circumstances, TRICARE does not cover cognitive rehabilitation – therapy programs that aid in the management of specific problems in thinking and perception – when billed as a separate service. Considering that our service members have been deployed in two conflicts for nearly a decade, it is our hope that there exists some contingency plan to provide cognitive rehabilitation for service members who are returning home today, particularly those with mild traumatic brain injuries. While TRICARE clearly pays for rehabilitation for physical injuries, brain injuries—the invisible wounds of this war—are not given the same therapy if not treated as part of a comprehensive brain injury rehabilitation program. Recent stories by NPR and ProPublica give examples of providers at civilian clinics who have tried to help soldiers with their cognitive rehabilitation, only to be informed by TRICARE that they cannot receive payment for their services.

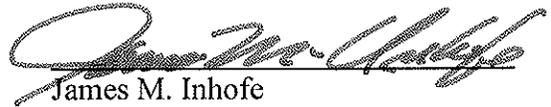
As this issue is studied, we ask that you share with us your plans to ensure that our service members with brain injuries are not only identified, but also able to receive treatment such as cognitive rehabilitation to restore their cognitive functions. Cognitive rehabilitation is widely recognized as a proven treatment for traumatic brain injury by experts and groups, including the National Institutes of Health, the Brain Injury Association of America, and the National Academy of Neuropsychology. Many states pay for cognitive rehabilitation under their Medicaid programs, and most private insurers cover this service. In light of this consensus from a wide variety of organizations, experts and government agencies, we hope that TRICARE will find some way to provide access to cognitive rehabilitation for our returning service members who would benefit from this therapy – both those with more severe and mild traumatic brain injuries – and to ensure that care decisions are made consistently. We also respectfully request a meeting with appropriate officials at the Department to discuss TRICARE's plans to ensure treatment coverage for our service members with brain injuries.

Thank you for your consideration of this request. Please let us know how you plan to expedite new treatments for traumatic brain injured soldiers as soon as possible. We look forward to working with you to provide the best care to our service members.

Sincerely,



Mark Udall
United State Senator



James M. Inhofe
United States Senator



Bill Pascrell
Member of Congress



Todd Russell Platts
Member of Congress



Benjamin L. Cardin
United States Senator



Richard Burr
United States Senator



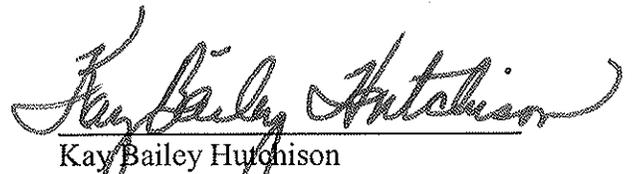
Herb Kohl
United States Senator



John Cornyn
United States Senator



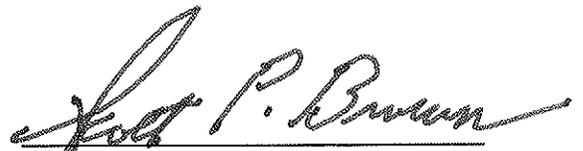
Frank R. Lautenberg
United States Senator



Kay Bailey Hutchison
United States Senator

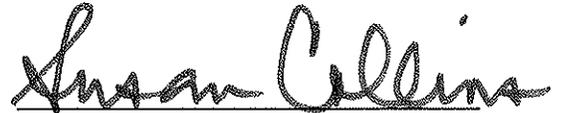


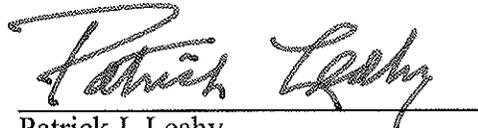
Michael F. Bennet
United States Senator

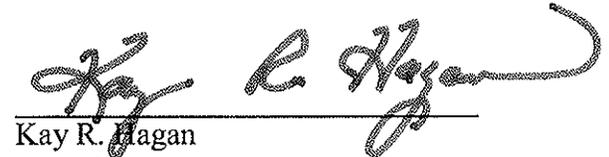


Scott P. Brown
United States Senator


Tim Johnson
United States Senator


Susan M. Collins
United States Senator


Patrick J. Leahy
United States Senator

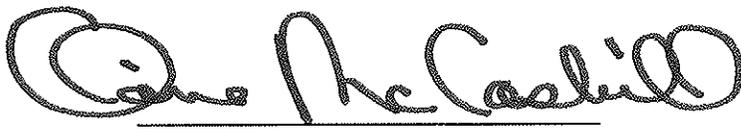

Kay R. Hagan
United States Senator

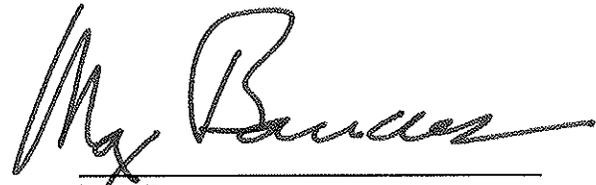

Kirsten Gillibrand
United States Senator


Ron Wyden
United States Senator


Barbara Boxer
United States Senator

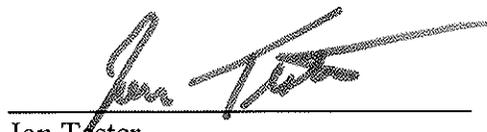

Ben Nelson
United States Senator

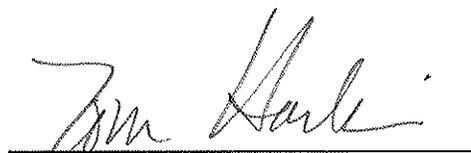

Claire McCaskill
United States Senator


Max Baucus
United States Senator


Joe Manchin III
United States Senator


Robert Menendez
United States Senator


Jon Tester
United States Senator

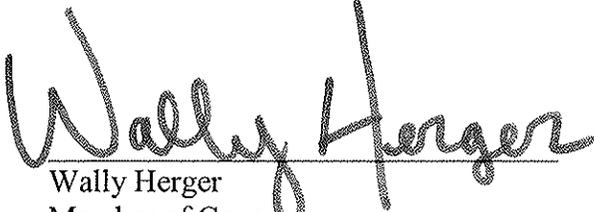

Tom Harkin
United States Senator



Tom Udall
United States Senator



Larry Kissell
Member of Congress



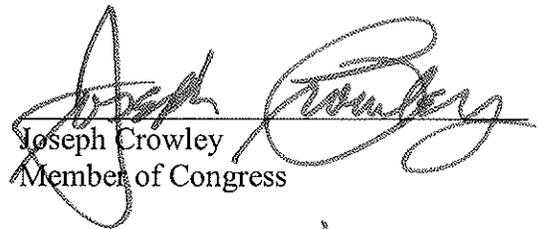
Wally Herger
Member of Congress



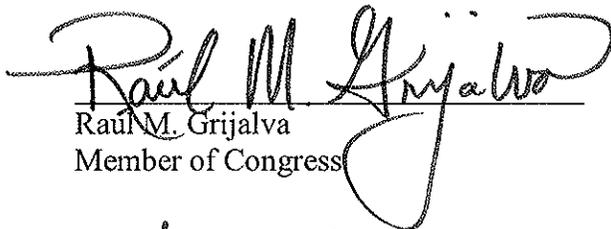
David Wu
Member of Congress



Tammy Baldwin
Member of Congress



Joseph Crowley
Member of Congress



Raul M. Grijalva
Member of Congress



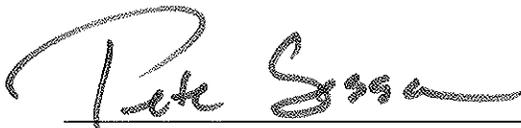
Laura Richardson
Member of Congress



Jim McDermott
Member of Congress



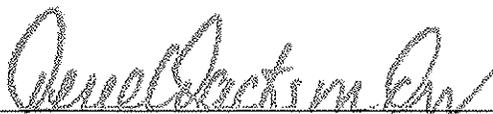
Mark S. Critz
Member of Congress



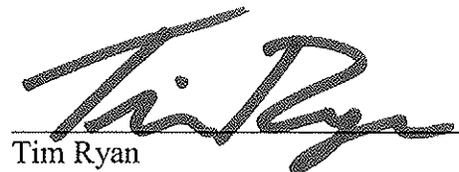
Pete Sessions
Member of Congress



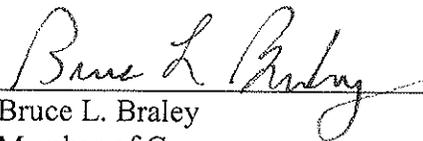
Gerald E. Connolly
Member of Congress



Jesse L. Jackson, Jr.
Member of Congress



Tim Ryan
Member of Congress



Bruce L. Braley
Member of Congress



Henry A. Waxman
Member of Congress



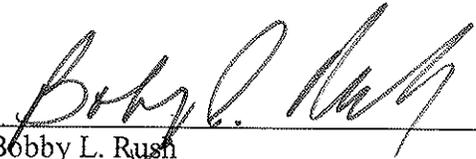
Edward J. Markey
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



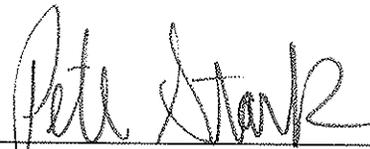
Mazie K. Hirono
Member of Congress



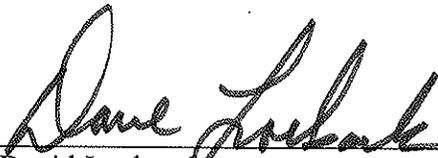
Bobby L. Rush
Member of Congress



Joe Baca
Member of Congress



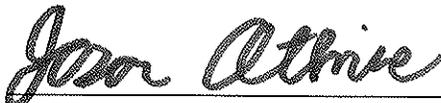
Fortney Pete Stark
Member of Congress



David Loeb sack
Member of Congress



Betty Sutton
Member of Congress



Jason Altmire
Member of Congress



James P. McGovern
Member of Congress



Bob Filner
Member of Congress



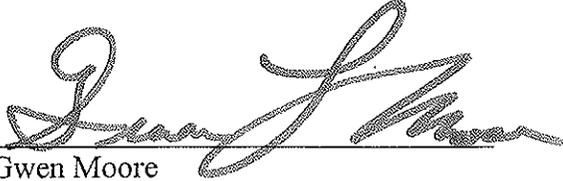
Paul Tonko
Member of Congress



Peter Welch
Member of Congress



Joe Donnelly
Member of Congress



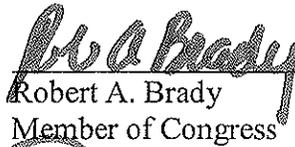
Gwen Moore
Member of Congress



Brad Miller
Member of Congress



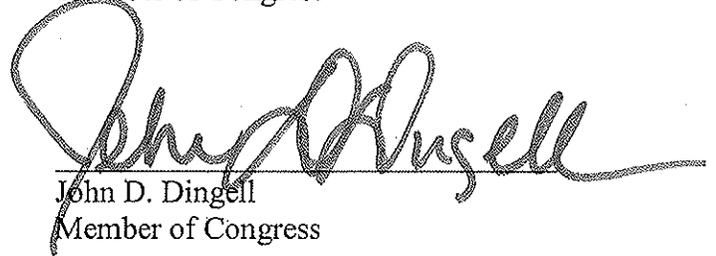
Adam B. Schiff
Member of Congress



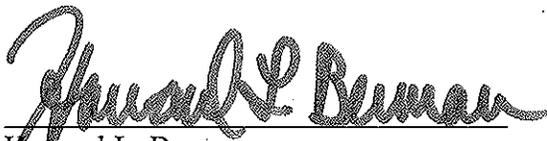
Robert A. Brady
Member of Congress



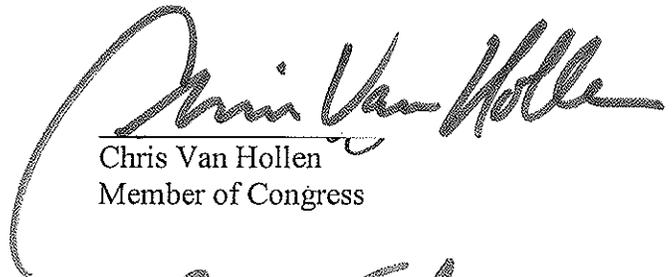
Louise McIntosh Slaughter
Member of Congress



John D. Dingell
Member of Congress



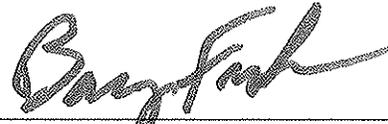
Howard L. Berman
Member of Congress



Chris Van Hollen
Member of Congress



David N. Cicilline
Member of Congress



Barney Frank
Member of Congress



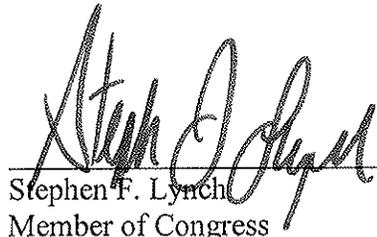
John B. Larson
Member of Congress



Betty McCollum
Member of Congress



Corrine Brown
Member of Congress



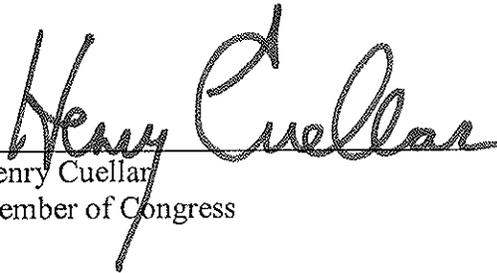
Stephen F. Lynch
Member of Congress



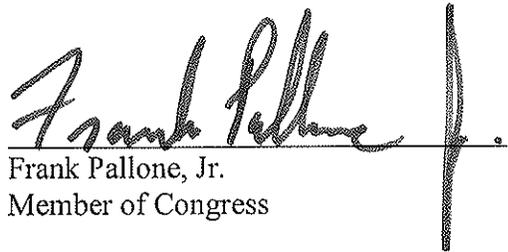
Dale E. Kildee
Member of Congress



Rush D. Holt
Member of Congress



Henry Cuellar
Member of Congress



Frank Pallone, Jr.
Member of Congress