

THE AMERICAN LEGION, DEPARTMENT OF MICHIGAN

RESOLUTION: #22-22

SUBMITTED BY: **Legislative Committee**

SUBJECT: **Hyperbaric Oxygen Treatments (HBOT) for Veterans with Traumatic Brain Injury (TBI) and Post Traumatic Stress Disorder (PTSD)**

RESOLUTION

WHEREAS, The ‘signature wounds’ of Iraq and Afghanistan are Traumatic Brain Injury (TBI) and Post Traumatic Stress Disorder (PTSD), affecting an estimated 877,450 veterans and are both significant health issues affecting the National veteran suicide and opioid epidemics needing attention; and

WHEREAS, According to the U.S. Department of Veterans Affairs, Michigan has a veteran population of 567,919 and the TreatNow.org report estimates there are 24,201 Michigan veterans who suffer from TBI and PTSD, which highlights the importance of ensuring available Hyperbaric Oxygen Therapy (HBOT) treatments for TBI/PTSD veterans; and

WHEREAS, Published neurological studies and nineteen (19) hyperbaric oxygen IRB trials since 2007, treating over 750 patients, have found that HBOT can repair the brain tissue from traumatic brain injuries and has shown to significantly improve the quality of life of almost all patients (over 95%) while reducing suicide ideation after the HBOT sessions; and

WHEREAS, The Presidential Executive Order on a National Roadmap to Empower Veterans and End Suicide, dated March 5, 2019, states “to reduce the veterans suicide, the Federal Government must work side-by-side with partners from State, local, territorial and tribal governments, as well as private and non-profit entities, to provide veterans with the services they need”; and

WHEREAS, H.R. 5674, the VA Mission Act of 2018, states “The Secretary shall not limit the types of hospital care, medical services, or extended care services covered veterans may receive under this section if it is in the best medical interest of the veteran to receive such hospital care, medical services, or extend services, as determined by the veteran and the veteran’s health care provider”. However, the FDA does not consider TBI/PTSD brain wounds for utilization of HBOT; and

WHEREAS, “The doctrine of informed consent seeks to ensure that doctors tell patients of their diagnosis, those patients understand the nature and purpose of recommended interventions and, most importantly, that patients are made aware of the burdens, risks and expected benefits of all options. (Code of Medical Ethics Opinion 2, 1.1)”, including off-label HBOT for TBI/PTSD; and

WHEREAS, The Comprehensive Strategy and Action Plan for Warfighter Brain Health, dated October 1, 2018, states “We must improve access to care and clinical trial participation for warfighters who have sustained a TBI”; and

WHEREAS, The VA Community Care Program is currently available to veterans from providers in the local communities outside the VA when the VA cannot provide the care that is needed; and

WHEREAS, Michigan has several health care providers capable of providing HBOT through the state, with approximately thirty-seven (37) Wound Care Centers equipped with functional hyperbaric chambers that may be negotiated to Medicare rates; now, therefore, be it

RESOLVED, By The American Legion, Department of Michigan, in annual Department Convention assembled in Kalamazoo, Michigan, June 24-26, 2022, That The American Legion, Department of Michigan supports all efforts, both public, private, and The U.S. Department of Veterans Affairs, to obtain funding for Pilot programs for utilization of HBOT, even if not approved by the FDA; and, be it

FURTHER RESOLVED, That The American Legion, Department of Michigan, supports efforts by the Oxford Recovery Center of Brighton and Troy, Michigan, to obtain a grant from the U.S. Department of Veterans Affairs for \$750,000 from the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant program of the VA and, further, recommend that the Oxford Recovery Center seek additional funding from any private or public sources to conduct a Pilot program for veterans suffering from TBI/PTSD; and, be it

FURTHER RESOLVED, That The American Legion, Department of Michigan request that the Michigan Department of Veterans Affairs seek a State of Michigan budget funding to show how HBOT can be used to help veterans and Michigan National Guard members recover from the effects of any known use for HBOT, even if not approved by the FDA; and, be it

FINALLY RESOLVED, That this resolution be forwarded to the National American Legion for their support.