



COMMONWEALTH OF VIRGINIA JOINT LEADERSHIP COUNCIL OF VETERANS SERVICE ORGANIZATIONS

101 N. 14TH ST., 17TH FLOOR
RICHMOND VA 23219

*Air Force Association
Air Force Sergeants
Association
American Legion
AMVETS
Association of the United
States Army
Disabled American
Veterans
Fifth Baptist Church Veterans
Ministry
Fleet Reserve Association
Legion of Valor of the
U.S., Inc.
Marine Corps League
Military Officers Association
of America
Military Order of the
Purple Heart
Military Order of the
World Wars
Navy Mutual Aid Association
Paralyzed Veterans of
America
Reserve Organization of
America
Roanoke Valley Veterans
Council
Student Veterans of America
Veterans of Foreign Wars
Vietnam Veterans of America
Virginia Army/Air National
Guard Enlisted
Association
Virginia National Guard
Association
Women Marines Association
Wounded Warrior Project*

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2023

Position Paper

Enhanced Emergency Response Medical Protections

OBJECTIVE: To ensure Virginia's continued investment and commitment to the men and women of the Virginia National Guard by offering more robust protections for those service members injured during State Emergency Response operations.

BACKGROUND:

1. The Virginia National Guard regularly responds to emergencies in the Commonwealth such as hurricanes, floods, fires, civil disturbance, as well as requests from other states for support.
2. In 2017 Virginia sent 465 service members to the United States Virgin Islands to assist with Hurricane Recovery efforts.
3. In 2023 Virginia will send 121 service members to the Southwest Border in response to Texas Governor Abbott's request.
4. When service members are on emergency response duty they do not receive the same level of medical protections as they would on active duty orders (T32 or T10).

DISCUSSION:

1. Injuries during emergency response fall under the Workmen's Comp program which offers less protection.
2. An injured SM may not be able to return to his or her civilian employer after completing emergency response duty.
3. Other states provide protections additional protection to their service members in the case of an injury such as Florida which keeps service members on orders for up to 9 months following an injury.

RECOMMENDATION: Allow any injured service members to remain on emergency service status up to 90 days to resolve a Worker's Compensation claim.