United States Senate

WASHINGTON, DC 20510

December 6, 2016

VIA ELECTRONIC TRANSMISSION

The Honorable Robert A. McDonald
Secretary
U.S. Department of Veterans Affairs
810 Vermont Avenue NW
Washington, DC 20420

Dear Secretary McDonald:

We write today regarding disturbing news reports about hundreds of veterans that may have been exposed to Hepatitis B, C, and HIV due to the failure of a Department of Veterans Affairs (VA) dentist to comply with cleaning procedures.[1] The report indicates that this particular dentist, working at the Tomah, Wisconsin VA Medical Center (Tomah VA), used his own equipment, cleaned it, and then reused it all in violation of VA regulations. This activity reportedly occurred for one year. Upon discovery of the dentist's alleged actions, Tomah VA leadership removed the dentist from patient care and placed him in an administrative role. The dentist, a probationary employee at the time, resigned late last week. We understand the VA Office of Inspector General recently opened a review of this situation.

The Acting Medical Director of the facility, Victoria Brahm, was quoted as saying, "[i]t was purposeful that [the dentist] was violating VA regulations."[2] Ms. Brahm has also stated that the VA is following reporting procedures to the state licensing board where the dentist is licensed and to the National Practitioner Data Bank.[3] It is unclear what other steps the VA has done to hold him accountable for the breach of protocol. Further, it is unclear what the VA is doing on a national scale to ensure that all VA doctors, not just dentists, comply with safety protocols.

Although the Tomah VA has offered free screening for those potentially infected and has said the infection risk is low, it is most likely little comfort for those waiting for test results. It is imperative that the VA provide Congress with additional information to better understand what has transpired at the Tomah VA to help ensure our veterans receive the care they deserve.

---

[1] Erin O'Brien, K.C. Brown, Andrew Fefer, Amanda Tyler, "Tomah VA: Veterans could have been infected with Hepatitis, HIV," WEAU News (November 29, 2016). http://www.weau.com/content/news/Tomah-VA-Veterans-could-have-been-infected-with-Hepatitis-HIV-403632336.html
[2] Id.
[3] Daniel Uria, "VA dentist resigns after possibly infecting 600 veterans with HIV and hepatitis," UPI (December 3, 2016). http://www.upi.com/Top_News/US/2016/12/03/VA-dentist-resigns-after-possibly-infecting-600-veterans-with-HIV-and-hepatitis/1831480788871/
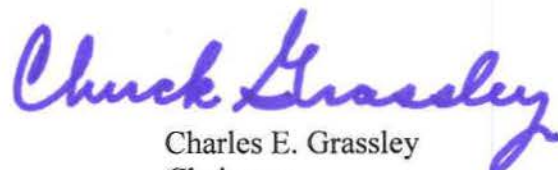
We request that you please provide the following information:

1. The news article notes that the dentist's temporary assistant notified VA officials that the dentist was not using disposable equipment and includes a quote from Ms. Brahm saying that an "investigation" took place. Please describe in detail when the investigation was initiated, how the investigation was conducted, and what the investigation found. In addition, please provide any reports or summaries of the investigation.

2. Please describe the training procedure by which doctors are informed of the VA's disposable equipment protocol. In addition, please explain whether the VA requires periodic continuing education to reestablish medical protocols that must be followed.

3. Please describe all steps the VA has taken, or will take, to hold the dentist in question accountable.

4. Please describe all steps the VA has taken, or will take, on a national scale to ensure that all VA doctors are complying with safety protocols.

Thank you in advance for your cooperation with this request. Please number your responses according to their corresponding questions and respond no later than December 20, 2016. If you have questions, please contact Josh Flynn-Brown of Chairman Grassley's staff at (202) 224-5225 and Brian Downey or Kyle Brosnan of Chairman Johnson's staff at (202) 224-4751.

Sincerely,

Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs

Charles E. Grassley
Chairman
Committee on the Judiciary

CC: The Honorable Michael J. Missal
Inspector General
U.S. Department of Veterans Affairs