



*In 2014, whistleblowers Dr. Sam Foote and Paula Pedene called attention to secret waiting lists at the Phoenix VA that significantly delayed care to veterans and endangered patients' lives. Photo by Ash Ponders*

# Devastation and reform

*Ten years after the Phoenix VA's secret patient waiting list ignited a national scandal, veterans, families and whistleblowers describe the aftermath.*

BY KEN OLSEN

**J**im Lilly died at home late one June evening in 2014 after six months of unsuccessful attempts to see a urologist at the Phoenix VA Medical Center. The cause, his daughter later learned, was undiagnosed bladder cancer.

"He was in pain for a long time," says Jade Henke. "Every time he went to the VA, every time he talked to somebody at the VA – even random people – he said, 'I need to see a urologist.' And they said they didn't have anyone."

The loss is as searing and senseless as the day Henke got word of her father's death. "It was so awful and unexpected," she says. Despite his pain, her father was doing well, remodeling his

home, responding to dialysis, always helping someone in need, even going on a date the night he died. And the service records the Air Force veteran had been trying to obtain for years, to prove his kidney problems were caused by Agent Orange exposure, were in his mailbox the morning after he died. While stationed in Vietnam, he had worked on planes that sprayed the toxic defoliant in the war zone.

Lilly is one of at least 40 Phoenix-area veterans who died waiting for medical appointments a decade ago, casualties of VA medical center leaders who hid their patient-care crisis with secret waiting lists and fabricated performance

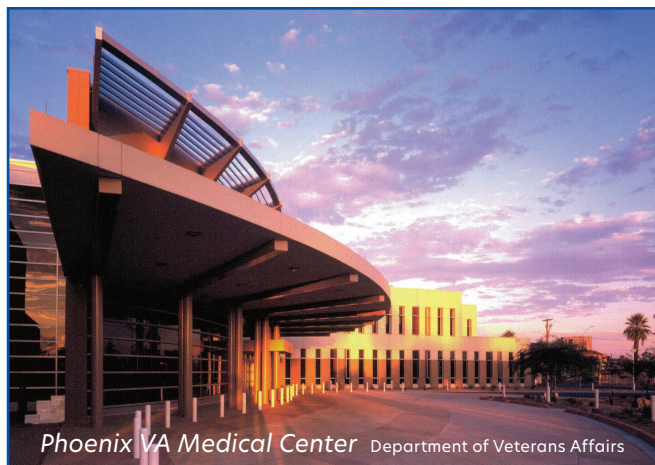
statistics. That practice, it turns out, was replicated at more than 100 other VA hospitals and clinics. Then-American Legion National Commander Daniel Dellinger called for the resignations of VA Secretary Eric Shinseki, Undersecretary for Health Robert Petzel and Undersecretary for Benefits Gen. Allison Hickey.

“Patient deaths are tragic – preventable deaths are unacceptable,” Dellinger said in May 2014. “But failure to disclose safety information – or worse, to cover up mistakes – is unforgivable.”

The Legion dispatched a System Worth Saving Task Force to Phoenix to investigate, conducted town hall meetings with frustrated veterans and grieving families, and established Veterans Crisis Command Centers in Phoenix and several other locations around the country to help veterans get the care and benefits they were being denied. The Legion also took the cause to Capitol Hill, successfully pushing for federal legislation to improve veteran access to care.

“You have to admire their courage,” says Navy veteran Paula Pedene, the former Phoenix VA public affairs officer and whistleblower who helped bring the secret patient waiting lists to light. “The American Legion was the only one of all the congressionally recognized veterans groups to really take a stand. The Legion was front and center in holding unethical leaders accountable, in trying to change the culture, in shaping the VA MISSION Act.”

Five Phoenix VA executives were forced out, including director Sharon Helman and associate director Lance Robinson, as well as the chief of staff, chief of health administration and the chief of nursing. Helman eventually pleaded guilty to failing to disclose \$50,000 in gifts from a lobbyist seeking contracts from VA, but won the fight to keep a \$9,000 VA performance bonus. Dozens of other directors left the agency after investigators discovered similar secret patient waiting lists at other VA medical centers.



Phoenix VA Medical Center Department of Veterans Affairs

## Decade of improvement

The Phoenix VA Medical Center has vastly improved veterans care since 2014, with more clinics, more operating room capacity and more health-care staff, according to the agency. And VA data shows veterans' trust in the medical center and overall patient satisfaction have increased.

VA's efforts include the addition of six Community-Based Outreach Clinics in the Phoenix area. It also leased a surgical center from Banner Health, three miles from the VA campus, for outpatient procedures. It's added 91 physicians – about a 40% increase – as part of a significant expansion of its Phoenix health-care staff. At the same time, VA established a Veterans Experience Office to monitor patient feedback. In the interest of transparency, it posts wait times online on the Wait Times at Individual Facilities Results page of [va.gov](https://www.va.gov).

The results included a 30% increase in the number of patients the Phoenix VA saw in fiscal 2023 – 110,686 – compared to 85,240 in 2014. The medical center also provided more than 1.2 million appointments in fiscal 2023 compared to 896,401 in 2014 – a 36% increase. And veterans' trust in the Phoenix VA has increased from 82.7% in 2018 (when the current assessment system came online) to 89.5% today, the agency reports.

“The entire team at the Phoenix VA are 100% committed to providing veterans with the world-class care they deserve,” VA Press Secretary Terrence Hayes says, “whenever and wherever they need it.”



The Legion has continued to send System Worth Saving teams to Phoenix, including a visit in April. And local Legionnaires say veterans' access to care has improved thanks to the addition of clinics and physicians. But current and former VA employees who brought the waiting lists, staffing shortages and other dangerous practices to light are disillusioned, citing ongoing whistleblower cases and failure to fully implement the VA MISSION Act while using a separate reform measure to punish lower-level employees, instead of holding VA leaders accountable.

Nationally, the VA Office of Inspector General reports a severe shortage of VA psychiatry staff and other health-care professionals that means patients are still waiting months for care. And VA is still struggling to deliver a new electronic health record system, a project that according to its own reviews "is billions in the hole with no fixes in sight," Pedene says. "Unfortunately for VA," she adds, "there were so many things that got broken."

**Secret list** A disabled Navy veteran and broadcast journalist, Pedene came to the Phoenix VA in 1994. She helped raise the profile of the growing medical center, won local and national awards for her public relations work, and created the Phoenix Veterans Day parade – one of the most well attended in the nation. "It's a noble agency with a great mission," she says of VA. "The staff want to do right by the veterans."

Medical center leaders who took over in 2012, however, were instead focused on collecting bonuses based on the number of veterans who secured doctor appointments within 14 days. Hellman declared it her "Wildly Important Goal." The problem, however, was that Phoenix and many other understaffed and overwhelmed medical centers couldn't meet patient demand. So leadership hid the problem.

At their direction, staff didn't formally enter a veteran's request for an appointment into the VA computer system when it was clear the Phoenix VA couldn't provide it within the 14-day window. Instead, staff were told to make a paper copy of the appointment request, stick it in a desk drawer and bypass the enter button, thus

deleting the information from the computer system. Unfortunate veterans, many with no other health-care options, were left in limbo until an opening actually became available – often months or even a year later, Pedene says. Subsequent investigations showed many died waiting for care.

By then, Pedene was already the target of the Phoenix VA leadership's ire because she had raised concerns about the previous director's fiscal mismanagement, she says. Helman's leadership team removed her from her public relations position, falsely accused her of computer-security and patient-privacy violations, silenced her with a gag order and, in 2013, banished her to a temporary job in the medical center's basement library. There her duties included helping veterans use computers, send faxes, make photo copies and use other library resources. In turn, veterans told her about the long wait times they endured when trying to get medical appointments. And a fellow VA employee in Pedene's carpool started talking about the challenges she faced managing Phoenix's secret patient waiting lists.

Pedene tried to sound the alarm within the agency, sending anonymous letters to VA's inspector general, the Office of the Medical Inspector, the Joint Commission, the Undersecretary for Health and even Secretary Shinseki, with no meaningful result. She then enlisted the help of Sam Foote, director of the Phoenix VA's Thunderbird Clinic. After more frustrating attempts to get VA's attention, Foote decided to take early retirement and go public.

In April 2014, then-U.S. Rep. Jeff Miller, R-Fla., chairman of the House Veterans' Affairs Committee, asked VA officials during a congressional hearing if they were aware Phoenix veterans were dying while waiting for medical care. Subsequent stories in *The Arizona Republic*, on CNN and other news outlets made the scandal impossible to ignore.

A few weeks later, Katherine Mitchell, a Phoenix VA emergency room physician who had been exiled to a small outpatient clinic after warning leadership about dangerous staffing shortages, also came forward. And by early May, the Legion was calling for the resignations of

VA's top leadership. Petzel left 11 days later. Shinseki departed May 30, as whistleblowers called attention to secret wait lists at VAs across the country. Hickey finally resigned in October 2015, following a VA Inspector General's report alleging she helped employees manipulate the VA hiring system for personal gain. Meanwhile, the Legion championed federal legislation to address the patient-access problems.

**Aftermath** The Legion's efforts made a difference, say Judi Beischel and Andres "Andy" Jaime Jr., who served successive terms as Department of Arizona commanders during the Phoenix scandal.

"Phoenix has come a long way," Jaime says. "The majority of the people I'm hearing from are happy with the service they are getting." He credits the addition of VA clinics providing much-needed treatment capacity as a key part of the improvements. "Veterans venting disappointment has turned to veterans bragging about their care, their doctors and ease of getting appointments."

Beischel agrees. "You don't hear the kind of complaints you did (in 2014)," she says. "I personally think a lot of it's because The American Legion stays on this."

Beischel and Jaime also credit the whistleblowers for bringing the secret waiting list scandal to light 10 years ago. "It was basically people like Paula Pedene who had the guts to say, 'No, everything is not OK,'" Beischel says. "She went through literally years of harassment for having the nerve to step up."

The human toll also included Lilly, Beischel's friend and fellow Legionnaire. They met in 1980 when she joined his Mountain Bell installation crew. "Jim took me under his wing like I was his younger sister, and it was the start of a lifelong friendship," she says. Their only daughters were born a month apart. They retired about the same time. They worked on volunteer projects together, including rewiring VA hospitals in the early 1980s so there was a telephone in every patient room, she says. Prior to that, hospitals had a phone on a rolling cart that was taken to patients' rooms when they asked to make a call.

"Then a terminally ill patient, who requested

the phone to call family, passed away before the phone could get to him," Beischel says. A member of the Communications Workers of America in New York suggested union members rectify the problem, and the movement spread across the country. "Jim was always the first to step up and help," she says. "And he was on my team to rewire the Phoenix VA hospital."

Like Henke, she tried to help Lilly get a urology appointment at the Phoenix VA. Months later, VA referred him to a specialist in private practice. But Lilly was sent to the appointment with the wrong paperwork, and his appointment had to be rescheduled, Beischel says. He died a few weeks later, on the eve of an American Legion town hall about the patient waiting list scandal.

"As state commander, I got to speak last," Beischel says. And she made sure the audience knew what happened to Lilly. "I opened my comments with, 'This just got personal.'"

Henke still struggles to make sense of the loss. When she learned her father had been diagnosed with kidney failure three years earlier, she sold some of her belongings for gas money, drove to El Centro, Calif., and brought him back to live with her at her apartment in Phoenix. She was so afraid of losing him, she slept with her bedroom door open on the nights she wasn't working so she could hear him breathe. Lilly eventually moved in with a friend and spent time at a retirement center before moving to a mobile home park, where he died.

Henke had already purchased Lilly's Father's Day card. She wrote him a letter, promising to tell her future children about him, tucked it inside the card and buried it with him at the National Memorial Cemetery of Arizona. She added a small photo of her father to her bouquet so he could accompany her down the aisle when she got married in 2016. And she appreciates that her son talks about his Grandpa Jim as if he's alive. She knows the feeling.

"Whenever I have something amazing happen, I still pick up my phone and call him to tell him," Henke says, "forgetting for a moment he is gone." 🌹

*Ken Olsen is a frequent contributor to The American Legion Magazine.*

# Afghan refugees welcomed at Kansas post

BY HENRY HOWARD

**F**atima Jaghoori fled Afghanistan with her family in 1999 after her father was killed saving the lives of two American doctors.

Her father freed the kidnapped Americans and led them safely to the border with Pakistan. On his return trip, he was ambushed and killed.

“Our family had to flee in the middle of the night to Pakistan,” said Jaghoori, who was 2 at the time. “The two doctors – God works in mysterious ways – found out that our father died, and they vouched for us. We came over through the humanitarian process to the United States, seeking refuge.”

That experience placed her on a path to a lifetime of service.

“That’s the reason I joined the military,” said Jaghoori, a medic for nine years in the Army with combat tours in Iraq. “This country has given me so much. I have nothing but gratitude and love for this country.”

The Jaghooris are members of the Hazara minority group. In the 1990s, Hazaras were persecuted by the Taliban. After Kabul fell in 2021, there were significant fears about whether the Taliban would again persecute the Hazaras.

“There has been genocide committed against our ethnicity for over 100 years,” she said. “My uncle was killed in the (Afghanistan) civil war. There has been a lot of death and turmoil within our familial history.”

Jaghoori is part of the Manhattan Afghanistan Resettlement Team (MART) in Kansas. She helps other Afghan women navigate their exodus, guiding them to safe houses, plotting out their travel to the United States and helping them resettle when they arrive.

She is a member of Pearce-Keller American Legion Post 17 in Manhattan, which plays a crucial role in the resettlement.

Post 17’s involvement began when Jaghoori and



*Department of Kansas Commander Randy Frank speaks with MART co-founder Fatima Jaghoori, left, and an Afghan refugee at American Legion Post 17. Photo by Katy Kelley*

retired Army veteran Matthew Burany met. “It feels really great that we can do this for the Afghanistan allies,” said Burany, the service officer for Post 17. “Fatima came to our veterans coalition meeting, asking what she can do to get her family and others out of there. Since the drawdown was so sudden, nobody knew

what they could do. I told her I would do as much as I could. Hopefully I will be able to do even more.”

In April, Post 17 hosted its third dinner for Afghanistan allies and other refugees, who number nearly 250 in Manhattan. The meal consisted of traditional Afghan dishes, featuring spicy chicken, rice and vegetables, spinach stew and okra stew, as well as a flat bread, rice pudding and a special Persian cake. After dinner, tea was served.

“This is how we get the community more involved with The American Legion and with MART, since they only started in 2022,” said Burany, who has championed the post’s involvement since the beginning.

Department Commander Randy Frank, a member of Shelton Beaty Post 18 in Arkansas City, attended the April dinner and offered support to members of the MART board. “It’s a great accomplishment what they are doing with the members of the community, letting the Afghan refugees know that we still care and we have their back because of all they did for us during the war,” Frank said. “I believe this effort is going to continue to grow.” 🌿

*Henry Howard is deputy director of the American Legion Media & Communications Division.*

Watch a video in which Afghan allies share stories about life in the United States:  
[legion.org/magazine/videos](https://legion.org/magazine/videos)