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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To make certain improvements in the laws administered by the Secretary
of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CISCOMANI introduced the following bill; which was referred to the
Committee on _____

A BILL

To make certain improvements in the laws administered by
the Secretary of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Senator Elizabeth Dole 21st Century Veterans
6 Healthcare and Benefits Improvement Act”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—HEALTH CARE MATTERS

Subtitle A—Veterans Community Care Program Matters

- Sec. 101. Finality of decisions by veteran and referring clinician under Veterans Community Care Program.
- Sec. 102. Outreach regarding care and services under Veterans Community Care Program.
- Sec. 103. Annual review and report on waivers of certain payment rates under Veterans Community Care Program.
- Sec. 104. Modification of requirements for standards for quality of care from Department of Veterans Affairs.
- Sec. 105. Standardized process to determine eligibility of covered veterans for participation in certain mental health treatment programs.
- Sec. 106. Improvements to Department of Veterans Affairs Mental Health Residential Rehabilitation Treatment Program.
- Sec. 107. Pilot program to improve administration of care under Veterans Community Care Program.
- Sec. 108. Pilot program on consolidating approval process of Department of Veterans Affairs for covered dental care.
- Sec. 109. Strategic plan on value-based health care system for Veterans Health Administration; pilot program.
- Sec. 110. Plan on adoption of certain health information standards for Department of Veterans Affairs and certain health care providers.
- Sec. 111. Report on use of value-based reimbursement models under Veterans Community Care Program.
- Sec. 112. Inspector General assessment of implementation of Veterans Community Care Program.
- Sec. 113. Comptroller General report on dentistry under Veterans Community Care Program.

Subtitle B—Matters Relating to Nursing Home and Other Long Term Care and Family Caregivers

- Sec. 120. Increase of expenditure cap for noninstitutional care alternatives to nursing home care.
- Sec. 121. Coordination with Program of All-Inclusive Care for the Elderly.
- Sec. 122. Authority for Secretary of Veterans Affairs to award grants or contracts to entities to improve provision of mental health support to family caregivers of veterans.
- Sec. 123. Home- and community-based services: programs.
- Sec. 124. Coordination with assistance and support services for caregivers.
- Sec. 125. Improvements to program of comprehensive assistance for family caregivers.
- Sec. 126. Improvements relating to Homemaker and Home Health Aide program.
- Sec. 127. Pilot program to furnish assisted living services to certain veterans.
- Sec. 128. Provision of medicine, equipment, and supplies available to Department of Veterans Affairs to State homes.
- Sec. 129. Recognition of organizations and individuals to assist veterans, family members, and caregivers navigating programs and services of Veterans Health Administration.
- Sec. 130. Reviews and other improvements relating to home- and community-based services.
- Sec. 131. GAO report on mental health support for caregivers.
- Sec. 132. Development of centralized website for program information.

Sec. 133. Definitions.

Subtitle C—Medical Treatment and Other Matters

- Sec. 140. Quarterly report on referrals for non-Department of Veterans Affairs health care.
- Sec. 141. Elimination of certain requirements for certain Department of Veterans Affairs Assistant Under Secretaries.
- Sec. 142. Modification of pay limitation for physicians, podiatrists, optometrists, and dentists of Department of Veterans Affairs.
- Sec. 143. Reimbursement of ambulance cost for care for certain rural veterans.
- Sec. 144. Pilot program to furnish dental care from the Department of Veterans Affairs to certain veterans diagnosed with ischemic heart disease.
- Sec. 145. Documentation of preferences of veterans for scheduling of appointments for health care under laws administered by Secretary of Veterans Affairs.
- Sec. 146. Staffing model and performance metrics for certain employees of the Department of Veterans Affairs.
- Sec. 147. Online health education portal for veterans enrolled in patient enrollment system of Department of Veterans Affairs.
- Sec. 148. Limitation on detail of directors of medical centers of Department of Veterans Affairs to different positions.
- Sec. 149. National Veteran Suicide Prevention Annual Report.
- Sec. 150. Report on physical infrastructure required by medical facilities of Department of Veterans Affairs to provide dental care services.
- Sec. 151. Comptroller General report on certain oral health care programs under laws administered by Secretary of Veterans Affairs.
- Sec. 152. Review of workflows associated with processing referrals between facilities of the Veterans Health Administration.
- Sec. 153. Plan for timely scheduling of appointments at medical facilities of Department of Veterans Affairs.
- Sec. 154. Authorization of appropriations to support initiatives for mobile mammography services for veterans.

TITLE II—ECONOMIC OPPORTUNITY MATTERS

Subtitle A—Educational Assistance

- Sec. 201. Temporary expansion of eligibility for Marine Gunnery Sergeant John David Fry Scholarship.
- Sec. 202. Removal of expiration on entitlement to Marine Gunnery Sergeant John David Fry Scholarship for surviving spouses.
- Sec. 203. Sole liability for transferred educational assistance by an individual who fails to complete a service agreement.
- Sec. 204. Notice to educational institutions of risk-based surveys.
- Sec. 205. Relationship of participation by an educational institution in certain Federal student financial aid programs to approval of such institution for purposes of Department of Veterans Affairs educational assistance programs.
- Sec. 206. Expansion of Department of Veterans Affairs oversight of certain educational institutions.
- Sec. 207. Requirement that educational institutions approved for purposes of Department of Veterans Affairs educational assistance programs provide digital official transcripts.

- Sec. 208. Payment of full monthly housing stipend for veterans enrolled in final semester using educational assistance under Post-9/11 Educational Assistance Program.
- Sec. 209. Modification of rules for approval of commercial driver education programs for purposes of educational assistance programs of the Department of Veterans Affairs.
- Sec. 210. Provision of certificates of eligibility and award letters using electronic means.
- Sec. 211. Retroactive effective date of law regarding charge to entitlement to educational assistance for individuals who do not transfer credits from certain closed or disapproved programs of education.
- Sec. 212. Department of Veterans Affairs high technology program.
- Sec. 213. Notice of changes to Department of Veterans Affairs policies and guidance affecting the educational assistance programs of the Department.
- Sec. 214. Payment of VA educational assistance via electronic fund transfer to a foreign institution of higher education.
- Sec. 215. Improving transparency and accountability of educational institutions for purposes of veterans educational assistance.

Subtitle B—Employment and Training

- Sec. 221. Improvements to reemployment rights of members of the Armed Forces.
- Sec. 222. Review of investigations manual of Veterans' Employment and Training Service.
- Sec. 223. Warrior Training Advancement Course.

Subtitle C—Home Loans

- Sec. 231. Improvements to program for direct housing loans made to Native American veterans by the Secretary of Veterans Affairs.
- Sec. 232. Native community development financial institution relending program.

TITLE III—DISABILITY AND MEMORIAL AFFAIRS MATTERS

- Sec. 301. Burial allowance for certain veterans who die at home while in receipt of hospice care furnished by Department of Veterans Affairs.
- Sec. 302. Authority for Secretary of Veterans Affairs to award grants to States and Indian Tribes to improve outreach to veterans.
- Sec. 303. Definition of surviving spouse.
- Sec. 304. Ensuring only licensed health care professionals perform medical disability examinations under certain Department of Veterans Affairs pilot program.
- Sec. 305. Provision of information regarding an agent or attorney to a licensed health care professional who performs a medical disability examination under certain Department of Veterans Affairs pilot program.
- Sec. 306. Modernization of Department of Veterans Affairs disability benefit questionnaires.
- Sec. 307. Department of Veterans Affairs automatic processing of certain claims for temporary disability ratings.

TITLE IV—HOMELESSNESS MATTERS

- Sec. 401. Short title.

- Sec. 402. Per diem payments provided by the Secretary of Veterans Affairs for services furnished to homeless veterans.
- Sec. 403. Authorization for Secretary of Veterans Affairs to use of certain funds for improved flexibility in assistance to homeless veterans.
- Sec. 404. Access to Department of Veterans Affairs telehealth services.

TITLE V—ELECTRONIC HEALTH RECORD MATTERS

- Sec. 501. Short title.
- Sec. 502. Definitions.

Subtitle A—Electronic Health Record System and Health Information Technology Modernization

- Sec. 511. Modernization of Department of Veterans Affairs electronic health record system and health information technology.
- Sec. 512. Responsibility for electronic health record program and health information technology.
- Sec. 513. Protection of personal information.

Subtitle B—Implementation Requirements

- Sec. 521. Veterans Health Administration workflow baseline.
- Sec. 522. Requirements for electronic health record system implementation.
- Sec. 523. Conditional restructuring of Electronic Health Record Modernization Program.

Subtitle C—Reporting

- Sec. 531. Report on additional purposes.
- Sec. 532. Reports on baseline of clinical workflows.
- Sec. 533. Report on health care quality metrics.
- Sec. 534. Report on support strategy for existing sites.
- Sec. 535. Report on resources required for future sites.
- Sec. 536. Report on alternative modernization strategies.
- Sec. 537. Report on health information technology strategy and roadmap.
- Sec. 538. Annual report on efforts to maintain VistA electronic health record system.
- Sec. 539. Modification of quarterly reports.
- Sec. 540. Report on protection of personal information.
- Sec. 541. Report on organization and needs.
- Sec. 542. Report on governance, performance criteria, and readiness.

TITLE VI—OVERSIGHT AND INVESTIGATIONS MATTERS

- Sec. 601. Department of Veterans Affairs employee training regarding Office of Inspector General.
- Sec. 602. Annual review of security at covered facilities of the Department of Veterans Affairs.
- Sec. 603. Modification of certain housing loan fees.

1 **TITLE I—HEALTH CARE**
2 **MATTERS**
3 **Subtitle A—Veterans Community**
4 **Care Program Matters**

5 **SEC. 101. FINALITY OF DECISIONS BY VETERAN AND RE-**
6 **FERRING CLINICIAN UNDER VETERANS COM-**
7 **MUNITY CARE PROGRAM.**

8 (a) **IN GENERAL.**—During the period specified in
9 subsection (c), and subject to subsection (b), an agreement
10 under section 1703(d)(1)(E) of title 38, United States
11 Code, between a covered veteran and the referring clini-
12 cian of such veteran regarding the best medical interest
13 of the veteran is final and is not subject to review, ap-
14 proval, or change by the Department of Veterans Affairs
15 unless a statutory or regulatory barrier prevents the De-
16 partment from providing the care or services required
17 under such agreement.

18 (b) **CORRECTION OF ERRORS.**—A covered veteran
19 and the referring clinician of such veteran may correct any
20 errors made with respect to an agreement described in
21 subsection (a).

22 (c) **PERIOD SPECIFIED.**—The period specified in this
23 subsection is the two-year period beginning on the date
24 that is 180 days after the date of the enactment of this
25 Act.

1 (d) ANNUAL REPORT.—Not later than one year and
2 not later than two years after the commencement of the
3 period specified under subsection (c), the Secretary of Vet-
4 erans Affairs shall submit to Congress a report on the care
5 provided under section 1703(d)(1)(E) of title 38, United
6 States Code, during the one-year period preceding the date
7 of the report, including—

- 8 (1) the number of instances of care provided;
9 (2) the type of care provided; and
10 (3) the cost of such care.

11 (e) COVERED VETERAN DEFINED.—In this section,
12 the term “covered veteran” has the meaning given that
13 term in section 1703(b) of title 38, United States Code.

14 **SEC. 102. OUTREACH REGARDING CARE AND SERVICES**
15 **UNDER VETERANS COMMUNITY CARE PRO-**
16 **GRAM.**

17 (a) REQUIREMENT.—Section 1703 of title 38, United
18 States Code, is further amended—

19 (1) by redesignating subsection (o) as sub-
20 section (p); and

21 (2) by inserting after subsection (n) the fol-
22 lowing new subsection (o):

23 “(o) OUTREACH REGARDING AVAILABILITY OF CARE
24 AND SERVICES.—(1) The Secretary shall conduct out-
25 reach to inform veterans of the following:

1 “(A) The conditions for care or services under
2 subsections (d) and (e).

3 “(B) How to request such care or services.

4 “(C) How to appeal a denial of a request for
5 such care or services using the clinical appeals pro-
6 cess of the Veterans Health Administration.

7 “(2) Upon enrollment of a veteran in the system of
8 annual patient enrollment established and operated under
9 section 1705 of this title, and not less frequently than
10 every two years thereafter, the Secretary shall inform the
11 veteran of information described in paragraph (1).

12 “(3) The Secretary shall ensure that information de-
13 scribed in paragraph (1) is—

14 “(A) publicly displayed in each medical facility
15 of the Department;

16 “(B) prominently displayed on a website of the
17 Department; and

18 “(C) included in other outreach campaigns and
19 activities conducted by the Secretary.”.

20 (b) TRANSITIONAL SERVICES.—Section
21 1144(f)(1)(B)(i) of title 10, United States Code, is amend-
22 ed by inserting “, including how to enroll in the system
23 of annual patient enrollment established and operated
24 under section 1705 of title 38 and the ability to seek care

1 and services under sections 1703 and 1710 of such title”
2 before the semicolon.

3 (c) SOLID START PROGRAM.—Section 6320(a)(2)(A)
4 of title 38, United States Code, is amended by inserting
5 “, including how to enroll in the system of annual patient
6 enrollment established and operated under section 1705
7 of this title and the ability to seek care and services under
8 sections 1703 and 1710 of this title” before the semicolon.

9 (d) COMPTROLLER GENERAL REPORT ON OUT-
10 REACH.—Not later than two years after the date of the
11 enactment of this Act, the Comptroller General of the
12 United States shall submit to Congress a report on the ef-
13 forts of the Secretary of Veterans Affairs to ensure that
14 veterans are informed of the conditions for eligibility for
15 care and services under section 1703 of title 38, United
16 States Code, including such efforts to conduct outreach
17 pursuant to subsection (q) of such section (as added by
18 subsection (a)).

19 **SEC. 103. ANNUAL REVIEW AND REPORT ON WAIVERS OF**
20 **CERTAIN PAYMENT RATES UNDER VETERANS**
21 **COMMUNITY CARE PROGRAM.**

22 (a) IN GENERAL.—Section 1703 of title 38, United
23 States Code, is further amended—

24 (1) by redesignating subsection (p) as sub-
25 section (q); and

1 (2) by inserting after subsection (p) the fol-
2 lowing new subsection (q):

3 “(q) ANNUAL REVIEW AND REPORT ON WAIVERS OF
4 PAYMENT RATES.—(1) On an annual basis, the Secretary
5 shall—

6 “(A) conduct a review of waivers of payment
7 rates under subsection (i) for Third Party Adminis-
8 trators to identify whether such waivers help to al-
9 leviate community-specific challenges, including scar-
10 city of medical services associated with access to
11 health care; and

12 “(B) submit to Congress a report on the results
13 of such review.

14 “(2) Each report under paragraph (1)(B) shall in-
15 clude, with respect to the period covered by the report—

16 “(A) a statement, disaggregated by region, of
17 the total number of waivers described in subpara-
18 graph (A) of such paragraph requested by Third
19 Party Administrators;

20 “(B) a statement of the total number of such
21 waivers that were—

22 “(i) granted by the Secretary;

23 “(ii) denied by the Secretary; or

24 “(iii) withdrawn by a Third Party Admin-
25 istrator;

1 “(C) a description of the process for the review
2 required under paragraph (1);

3 “(D) a statement, disaggregated by region, of
4 the average time to process such waivers;

5 “(E) an assessment, disaggregated by region, of
6 the extent to which such waivers that were granted
7 by the Secretary improved access to health care for
8 covered veterans; and

9 “(F) a description of trends, if any, identified
10 by the Secretary with respect to such waivers.

11 “(3) In this subsection, the term ‘Third Party Ad-
12 ministrator’ has the meaning given such term in section
13 1703B of this title.”.

14 (b) DEADLINE.—The Secretary shall submit the first
15 report required under subsection (q) of section 1703 of
16 such title (as added by subsection (a)) not later than 180
17 days after the date of the enactment of this Act.

18 **SEC. 104. MODIFICATION OF REQUIREMENTS FOR STAND-**
19 **ARDS FOR QUALITY OF CARE FROM DEPART-**
20 **MENT OF VETERANS AFFAIRS.**

21 (a) IN GENERAL.—Section 1703C of title 38, United
22 States Code, is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (2)—

1 (i) by striking “In establishing” and
2 inserting “(A) In establishing”; and

3 (ii) by adding at the end the following
4 new subparagraph:

5 “(B) The Secretary shall ensure that the stand-
6 ards for quality established under paragraph (1) are
7 comparable to industry standards to ensure there is
8 adequate data transference between care furnished
9 by the Department and care furnished by a non-De-
10 partment provider.”;

11 (B) in paragraph (3), by adding at the end
12 the following new clauses:

13 “(v) Equitable care.

14 “(vi) Outcomes relating to patient
15 quality of life.”;

16 (C) in paragraph (4)—

17 (i) by striking “and the Centers for
18 Medicare & Medicaid Services” and insert-
19 ing “the Centers for Medicare & Medicaid
20 Services, and the Indian Health Service”;
21 and

22 (ii) by striking “and other nongovern-
23 mental entities” and inserting “and other
24 non-governmental entities including Third
25 Party Administrators”; and

1 (D) by striking paragraph (5) and insert-
2 ing the following new paragraphs:

3 “(5) When collecting, considering, and applying data
4 related to patient care for purposes of establishing stand-
5 ards for quality under paragraph (1), the Secretary shall
6 ensure no metric is being over or under analyzed.

7 “(6) In establishing standards for quality under para-
8 graph (1), the Secretary shall—

9 (A) utilize the most up-to-date practices for
10 extracting and analyzing relevant data;

11 (B) utilize all relevant data available to the
12 Secretary;

13 (C) ensure the most efficient use of time and
14 resources related to the use of data scientists em-
15 ployed by the Department; and

16 (D) collaborate, as appropriate, with entities
17 specified in paragraph (4).

18 “(7)(A) Not less frequently than once every five
19 years, the Secretary shall update the standards for quality
20 established under paragraph (1) pursuant to the require-
21 ments for the establishment of such standards under this
22 subsection.

23 (B) Not later than 30 days after any date on which
24 the Secretary updates, pursuant to subparagraph (A), the
25 standards for quality under paragraph (1), the Secretary

1 shall submit to the appropriate committees of Congress
2 a report on such updated standards for quality.”; and

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) by striking “Not later than 1 year
6 after the date on which the Secretary es-
7 tablishes standards for quality under sub-
8 section (a)” and inserting “Not less fre-
9 quently than once every three years”; and

10 (ii) by inserting “pursuant to stand-
11 ards for quality under subsection (a)”
12 after “medical facilities of the Depart-
13 ment”; and

14 (B) in paragraph (2), by inserting “or up-
15 dates” after “establishes”.

16 (b) DEADLINE FOR UPDATE.—The Secretary, pursu-
17 ant to paragraph (7) of section 1703C(a) of title 38,
18 United States Code (as added by subsection (a)), shall
19 make the first update to the standards for quality estab-
20 lished under paragraph (1) of such section not later than
21 the date that is five years after the date on which the Sec-
22 retary submits the report under paragraph (2) of sub-
23 section (d).

24 (c) REPORT.—Not later than one year after the date
25 of the enactment of this Act, the Secretary of Veterans

1 Affairs shall submit to the appropriate committees of Con-
2 gress a report on how the Secretary—

3 (1) has consulted with entities specified in para-
4 graph (4) of section 1703C(a) of title 38, United
5 States Code, before the date of the enactment of this
6 Act in establishing standards for quality under such
7 section;

8 (2) has continued to consult with those entities
9 on and after such date of enactment; and

10 (3) intends to leverage data sciences to improve
11 standards for quality care furnished by the Depart-
12 ment of Veterans Affairs.

13 (d) UPDATES TO QUALITY CARE METRICS.—

14 (1) INITIAL REPORT.—Not later than one year
15 after the date of the enactment of this Act, the Sec-
16 retary of Veterans Affairs shall submit to the appro-
17 priate committees of Congress a report on how the
18 Secretary plans to implement the amendments made
19 by subsections (a).

20 (2) DEADLINE; SUMMARY REPORT.—Not later
21 than two years after the date of the enactment of
22 this Act, the Secretary shall—

23 (A) implement the amendments made by
24 subsection (a), including by updating the stand-

1 ards for quality established under section
2 1703C of title 38, United States Code; and

3 (B) submit to the appropriate committees
4 of Congress a report detailing the standards for
5 quality updated pursuant to such amendments.

6 (e) AUDIT OF QUALITY CARE METRICS.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the Sec-
9 retary of Veterans Affairs shall enter into one or
10 more contracts with a non-Department entity de-
11 scribed in paragraph (2) to conduct an audit on the
12 quality of care from the Department of Veterans Af-
13 fairs, including through non-Department health care
14 providers pursuant to section 1703 of title 38
15 United States Code.

16 (2) NON-DEPARTMENT ENTITY DESCRIBED.—A
17 non-Department entity described in this paragraph
18 is an entity that—

19 (A) specializes in analyzing large-scale or-
20 ganizational data collection and analysis efforts,
21 especially with respect to the health care sector;
22 and

23 (B) has experience and proven outcomes in
24 optimizing the accuracy and comprehensiveness

1 of data collection and analysis related to the
2 quality of health care services.

3 (3) ELEMENTS.—The audit required under
4 paragraph (1) shall include the following:

5 (A) An assessment of the methodology
6 used by the Department to collect and assess
7 data on the quality of care furnished by the De-
8 partment, including any vulnerabilities in such
9 methodology.

10 (B) An assessment of the accuracy and re-
11 liability of the data sources used by the Depart-
12 ment to compile data on the quality of care fur-
13 nished by the Department.

14 (C) The extent to which the standards the
15 Department uses to assess the quality of care
16 furnished by the Department are—

17 (i) comparable with industry stand-
18 ards;

19 (ii) easily accessible to, and under-
20 stood by—

21 (I) veterans;

22 (II) employees of the Depart-
23 ment; and

1 (III) other individuals, as the pri-
2 vate sector entity considers appro-
3 priate.

4 (D) Any recommendations of such private
5 sector entity with respect to improvements that
6 the Secretary could administer to more accu-
7 rately capture the quality of care furnished by
8 the Department.

9 (4) REPORTS ON AUDIT.—

10 (A) REPORT ON FINDINGS AND REC-
11 OMMENDATIONS.—Not later than 60 days after
12 any date on which a private sector entity de-
13 scribed in paragraph (2) completes an audit
14 under paragraph (1), such private sector entity
15 shall submit to the Secretary, the Committee on
16 Veterans' Affairs of the Senate, and the Com-
17 mittee on Veterans' Affairs of the House of
18 Representatives a report that includes—

19 (i) the findings of such audit; and
20 (ii) recommendations of such private
21 sector entity with respect to such audit.

22 (B) REPORT ON PLANNED IMPROVE-
23 MENTS.—Not later than 60 days after any date
24 on which the Secretary receives a report under
25 subparagraph (A), the Secretary shall submit to

1 the Committee on Veterans' Affairs of the Sen-
2 ate and the Committee on Veterans' Affairs of
3 the House of Representatives a report on how
4 the Secretary plans to improve the standards
5 for quality of care of the Department.

6 (f) APPROPRIATE COMMITTEES OF CONGRESS DE-
7 FINED.—In this section, the term “appropriate commit-
8 tees of Congress” has the meaning given such term in sec-
9 tion 1703C of title 38, United States Code.

10 **SEC. 105. STANDARDIZED PROCESS TO DETERMINE ELIGI-**
11 **BILITY OF COVERED VETERANS FOR PAR-**
12 **TICIPATION IN CERTAIN MENTAL HEALTH**
13 **TREATMENT PROGRAMS.**

14 (a) STANDARDIZED SCREENING PROCESS.—Not
15 later than one year after the date of the enactment of this
16 Act, the Secretary of Veterans Affairs shall establish a
17 standardized screening process to determine, based on
18 clinical need, whether a covered veteran satisfies criteria
19 for priority or routine admission to a covered treatment
20 program.

21 (b) ELIGIBILITY CRITERIA.—

22 (1) IN GENERAL.—Under the standardized
23 screening process required by subsection (a), a cov-
24 ered veteran shall be eligible for priority admission
25 to a covered treatment program if the covered vet-

1 eran meets criteria that include, but are not limited
2 to, the following:

3 (A) Symptoms that—

4 (i) significantly affect activities of
5 daily life; and

6 (ii) increase the risk of such veteran
7 for adverse outcomes.

8 (B) An unsafe living situation.

9 (C) A high-risk flag for suicide.

10 (D) A determination of being a high risk
11 for suicide.

12 (E) Risk factors for overdose.

13 (F) Non-responsive, relapsed, or unable to
14 find recovery from one other course of treat-
15 ment, such as outpatient or intensive outpatient
16 treatment.

17 (G) Other such criteria as the Secretary
18 determines appropriate.

19 (2) CONSIDERATION.—In making a determina-
20 tion under paragraph (1), the Secretary shall con-
21 sider any referral of a health care provider of a cov-
22 ered veteran for such covered veteran to be admitted
23 to a covered treatment program.

1 (c) TIME FOR SCREENING AND ADMISSION.—Under
2 the standardized screening process required by subsection
3 (a), the Secretary shall ensure a covered veteran—

4 (1) is screened not later than 48 hours after the
5 date on which the covered veteran, or a relevant
6 health care provider, makes a request for the cov-
7 ered veteran to be admitted to a covered treatment
8 program.

9 (2) determined eligible for priority admission to
10 a covered treatment program is admitted to such
11 covered treatment program not later than 48 hours
12 after the date of such determination.

13 (d) ACCESS STANDARDS FOR ROUTINE ADMIS-
14 SION.—The Secretary shall include the standardized
15 screening process under this section in the wait time ac-
16 cess standards for eligibility for mental health care under
17 section 1703(d) of such title established by the Secretary
18 under section 1703B of such title.

19 (e) CONDITIONS UNDER WHICH CARE SHALL BE
20 FURNISHED THROUGH NON-DEPARTMENT PROVIDERS.—
21 If the Secretary determines a covered veteran to be eligible
22 for either priority or routine admission to a covered treat-
23 ment program pursuant to the standardized screening
24 process required by subsection (a), and the Secretary is
25 unable to admit such covered veteran to a clinically appro-

1 p r i a t e covered treatment program at a facility of the De-
2 p a r t m e n t of Veterans Affairs within the State of residence
3 o f the covered veteran in a manner that complies with the
4 a p p l i c a b l e wait time standards established pursuant to
5 t h i s section, the Secretary shall offer the covered veteran
6 t h e option to receive care—

7 (1) at another facility of the Department; or

8 (2) at a non-Department facility that—

9 (A) can admit the covered veteran within
10 t h e period required by the applicable standards
11 o f the Department; and

12 (B) is party to a contract or agreement
13 w i t h the Department or enters into such a con-
14 t r a c t or agreement under which the Department
15 f u r n i s h e s a program that is equivalent to a cov-
16 e r e d treatment program to a veteran through
17 s u c h non-Departmental facility.

18 (f) SUNSET.—

19 (1) IN GENERAL.—The authority of the Sec-
20 r e t a r y to make a determination under this section
21 e x p i r e s on the day that is two years after the date
22 o f the enactment of this Act.

23 (2) RULE OF CONSTRUCTION.—Paragraph (1)
24 s h a l l not be construed to affect a covered veteran in
25 a covered treatment program pursuant to a deter-

1 mination made on or before the date in such para-
2 graph.

3 (g) DEFINITIONS.—In this section:

4 (1) The term “covered treatment program”—

5 (A) means a mental health residential re-
6 habilitation treatment program of the Depart-
7 ment of Veterans Affairs;

8 (B) a program of the Department for resi-
9 dential care for mental health and substance
10 abuse disorders;

11 (C) includes—

12 (i) the programs designated as of the
13 date of the enactment of this section as
14 domiciliary residential rehabilitation treat-
15 ment programs; and

16 (ii) any programs designated as domi-
17 ciliary residential rehabilitation treatment
18 programs on or after such date of enact-
19 ment; and

20 (D) does not include Compensated Work
21 Therapy Transition Residence programs of the
22 Department.

23 (2) The term “covered veteran” means a vet-
24 eran described in section 1703(b) of title 38, United
25 States Code.

1 **SEC. 106. IMPROVEMENTS TO DEPARTMENT OF VETERANS**
2 **AFFAIRS MENTAL HEALTH RESIDENTIAL RE-**
3 **HABILITATION TREATMENT PROGRAM.**

4 (a) PERFORMANCE METRICS.—

5 (1) IN GENERAL.—The Secretary shall develop
6 metrics to track, and shall subsequently track, the
7 performance of medical facilities and Veterans Inte-
8 grated Service Networks of the Department in meet-
9 ing the requirements for—

10 (A) screening, under section 105 of this
11 Act, for the Mental Health Residential Rehabili-
12 tation Treatment Program (in this section re-
13 ferred to as the “Program”) ; and

14 (B) timely admission, under such screen-
15 ing, to the Program.

16 (2) ELEMENTS.—The metrics developed under
17 paragraph (1) shall include metrics for tracking the
18 performance of such medical facilities and Veterans
19 Integrated Service Networks with respect to routine
20 and priority admission under the Program.

21 (b) PLACEMENT; TRANSPORTATION.—

22 (1) LOCATIONS.—If the Secretary determines
23 that a covered veteran is in need of residential care
24 under the Program, the Secretary shall provide to
25 the covered veteran a list of locations at which such

1 covered veteran can receive such residential care
2 that meets—

3 (A) the standards for screening under sec-
4 tion 105 of this Act; and

5 (B) the care needs of the covered veteran,
6 including applicable treatment tracks.

7 (2) TRANSPORTATION COVERAGE.—The Sec-
8 retary shall provide transportation or pay for or re-
9 imburse the costs of transportation for any covered
10 veteran who is admitted into the Program and needs
11 transportation assistance—

12 (A) from the residence of the covered vet-
13 eran or a facility of the Department or author-
14 ized non-Department facility that does not pro-
15 vide such care to another such facility that pro-
16 vides residential care covered under the Pro-
17 gram; and

18 (B) back to the residence of the covered
19 veteran after the conclusion of the Program, if
20 applicable.

21 (c) CONSIDERATIONS.—In making placement deci-
22 sions under the Program, the Secretary shall consider the
23 input of the covered veteran and the treating clinicians
24 of the covered veteran, including with respect to program
25 specialty, subtype, or treatment track offered to the cov-

1 ered veteran, and the geographic placement of the covered
2 veteran, including family- or occupation-related pref-
3 erences or circumstances.

4 (d) APPEALS.—

5 (1) IN GENERAL.—The Secretary shall develop
6 a national policy and associated procedures under
7 which a covered veteran, a representative of a cov-
8 ered veteran, or a provider who requests a covered
9 veteran be admitted to the Program, including a
10 provider of the Department or a non-Department
11 provider, may file a clinical appeal pursuant to this
12 subsection if the covered veteran is—

13 (A) denied admission into the Program; or

14 (B) accepted into the Program but is not
15 offered bed placement in a timely manner.

16 (2) TIMELINESS STANDARDS FOR REVIEW.—

17 (A) IN GENERAL.—The national policy and
18 procedures developed under paragraph (1) for
19 appeals described in such paragraph shall in-
20 clude timeliness standards for the Department
21 to review and make a decision on such an ap-
22 peal.

23 (B) DECISION.—The Secretary shall re-
24 view and respond to any appeal under para-

1 graph (1) not later than 72 hours after the Sec-
2 retary receives such appeal.

3 (3) PUBLIC GUIDANCE.—The Secretary shall
4 develop, and make available to the public, guidance
5 on how a covered veteran, a representative of the
6 covered veteran, or a provider of the covered veteran
7 can file a clinical appeal pursuant to this sub-
8 section—

9 (A) if the covered veteran is denied admis-
10 sion into the Program;

11 (B) if the first date on which the covered
12 veteran may enter the Program does not comply
13 with the standards established by the Depart-
14 ment under section 1703B of title 38, United
15 States Code for purposes of determining eligi-
16 bility for mental health care under subsections
17 (d) and (h) of section 1703 of such title; or

18 (C) with respect to such other factors as
19 the Secretary may specify.

20 (4) RULE OF CONSTRUCTION.—Nothing in this
21 subsection may be construed as granting a covered
22 covered veteran the right to appeal a decision of the
23 Secretary with respect to admission to the Program
24 to the Board of Veterans' Appeals under chapter 71
25 of title 38, United States Code.

1 (e) TRACKING OF AVAILABILITY AND WAIT TIMES.—

2 (1) IN GENERAL.—The Secretary shall, to the
3 extent practicable, create a method for tracking
4 availability and wait times under the Program across
5 all facilities of the Department, Veterans Integrated
6 Service Networks of the Department, and non-De-
7 partment providers throughout the United States.

8 (2) AVAILABILITY OF INFORMATION.—The Sec-
9 retary shall, to the extent practicable, make the in-
10 formation tracked under paragraph (1) available in
11 real time to—

12 (A) the mental health treatment coordina-
13 tors at each facility of the Department;

14 (B) the leadership of each medical center
15 of the Department;

16 (C) the leadership of each Veterans Inte-
17 grated Service Network; and

18 (D) the Office of the Under Secretary for
19 Health of the Department.

20 (f) TRAINING AND OVERSIGHT.—

21 (1) TRAINING.—

22 (A) IN GENERAL.—The Secretary shall up-
23 date and implement training for staff of the
24 Department directly involved in the Program
25 regarding referrals, screening, admission, place-

1 ment decisions, and appeals for the Program,
2 including all changes to processes and guidance
3 under the Program required by this section and
4 under section 105 of this Act.

5 (B) COVERED VETERANS AWAITING ADMIS-
6 SION.—The training under subparagraph (A)
7 shall include procedures for the care of covered
8 veterans awaiting admission into the Program
9 and communication with such covered veterans
10 and the providers of such covered veterans.

11 (C) TIMING OF TRAINING.—

12 (i) IN GENERAL.—The Secretary shall
13 require the training under subparagraph
14 (A) to be completed by staff required to
15 complete such training—

16 (I) not later than 60 days after
17 beginning employment at the Depart-
18 ment in a position that includes work
19 directly involving the Program; and

20 (II) not less frequently than an-
21 nually.

22 (ii) TRACKING.—The Secretary shall
23 track completion of training required
24 under clause (i) by staff required to com-
25 plete such training.

1 (2) OVERSIGHT STANDARDS.—The Secretary
2 shall review and revise oversight standards for the
3 leadership of the Veterans Integrated Service Net-
4 works and the Veterans Health Administration to
5 ensure that facilities and staff of the Department
6 are adhering to the policy of the Program on access
7 to care.

8 (g) CARE COORDINATION AND FOLLOW-UP CARE.—

9 (1) CONTINUITY OF CARE.—The Secretary shall
10 ensure each covered veteran who is screened for ad-
11 mission to the Program is offered, and provided if
12 agreed upon, care options during the period between
13 screening of the covered veteran and admission of
14 the covered veteran to the Program to ensure the
15 covered veteran does not experience any lapse in
16 care.

17 (2) CARE COORDINATION FOR SUBSTANCE USE
18 DISORDER.—For a covered veteran being treated for
19 substance use disorder, the Secretary shall—

20 (A) ensure there is a care plan in place
21 during the period between any detoxification
22 services or inpatient care received by the cov-
23 ered veteran and admission of the covered vet-
24 eran to the Program; and

1 (B) communicate that care plan to the cov-
2 ered veteran, the primary care provider of the
3 covered veteran, and the facility of the Program
4 where the covered veteran is or will be residing.

5 (3) CARE PLANNING PRIOR TO DISCHARGE.—

6 (A) IN GENERAL.—The Secretary, in con-
7 sultation with the covered veteran and the
8 treating providers of the covered veteran in the
9 Program, shall ensure the completion of a care
10 plan prior to the covered veteran being dis-
11 charged from the Program.

12 (B) MATTERS TO BE INCLUDED.—The
13 care plan required under subparagraph (A) for
14 a covered veteran shall include details on the
15 course of treatment for the covered veteran fol-
16 lowing completion of treatment under the Pro-
17 gram, including any necessary follow-up care.

18 (C) SHARING OF CARE PLAN.—The care
19 plan required under subparagraph (A) shall be
20 shared with the covered veteran, the primary
21 care provider of the covered veteran, and any
22 other providers with which the covered veteran
23 consents to sharing the plan.

24 (D) DISCHARGE FROM NON-DEPARTMENT
25 FACILITY.—Upon discharge of a covered vet-

1 eran under the Program from a non-Depart-
2 ment facility, the facility shall share with the
3 Department all care records maintained by the
4 facility with respect to the covered veteran and
5 shall work in consultation with the Department
6 on the care plan of the covered veteran required
7 under subparagraph (A).

8 (h) REPORTS TO CONGRESS.—

9 (1) REPORT ON MODIFICATIONS TO PRO-
10 GRAM.—

11 (A) IN GENERAL.—Not later than two
12 years after the date of the enactment of this
13 Act, the Secretary of Veterans Affairs shall
14 submit to the Committees on Veterans' Affairs
15 of the House of Representatives and the Senate
16 a report on modifications made to the guidance,
17 operation, and oversight of the Program to ful-
18 fill the requirements of this section.

19 (B) ELEMENTS.—The report required by
20 subparagraph (A) shall include—

21 (i) an assessment of whether costs of
22 the Program, including for residential care
23 provided through facilities of the Depart-
24 ment and non-Department facilities, serve

1 as a disincentive to placement in the Pro-
2 gram;

3 (ii) a description of actions taken by
4 the Department to address the findings
5 and recommendations by the Secretary
6 contained in the report under section
7 503(c) of the STRONG Veterans Act of
8 2022 (division V of Public Law 117–328),
9 including such actions with respect to—

10 (I) any new locations of the Pro-
11 gram added;

12 (II) any beds added at existing
13 facilities of the Program; and

14 (III) any additional treatment
15 tracks or sex-specific programs cre-
16 ated or added at facilities of the De-
17 partment; and

18 (iii) such recommendations as the
19 Secretary may have for legislative or ad-
20 ministrative action to address any funding
21 constraints or disincentives for use of the
22 Program.

23 (2) ANNUAL REPORT ON OPERATION OF PRO-
24 GRAM.—

1 (A) IN GENERAL.—Not later than one year
2 after the submission of the report under para-
3 graph (1)(A), and not less frequently than an-
4 nually thereafter during the duration of the
5 Program, the Secretary shall submit to the
6 Committees on Veterans' Affairs of the House
7 of Representatives and the Senate a report on
8 the operation of the Program.

9 (B) ELEMENTS.—Subject to subparagraph
10 (C), each report required by subparagraph (A)
11 shall include the following:

12 (i) The number of covered veterans
13 served by the Program, disaggregated by—

14 (I) Veterans Integrated Service
15 Network in which the covered veteran
16 receives care;

17 (II) facility, including facilities of
18 the Department and non-Department
19 facilities, at which the covered veteran
20 receives care;

21 (III) type of residential rehabili-
22 tation treatment care received by the
23 covered veteran under the Program;

24 (IV) sex of the covered veteran;
25 and

1 (V) race or ethnicity of the cov-
2 ered veteran.

3 (ii) Wait times under the Program for
4 the most recent year data is available,
5 disaggregated by—

6 (I) treatment track or specificity
7 of residential rehabilitation treatment
8 care sought by the covered veteran;

9 (II) sex of the covered veteran;

10 (III) State or territory in which
11 the covered veteran is located;

12 (IV) Veterans Integrated Service
13 Network in which the covered veteran
14 is located; and

15 (V) facility of the Department at
16 which the covered veteran seeks care.

17 (iii) A list of all locations of the Pro-
18 gram and number of bed spaces at each
19 such location, disaggregated by residential
20 rehabilitation treatment care or treatment
21 track provided under the Program at such
22 location.

23 (iv) A list of any new Program loca-
24 tions added or removed and any bed spaces

1 added or removed during the one-year pe-
2 riod preceding the date of the report.

3 (v) Average cost of a stay under the
4 Program, including total stay average and
5 daily average, at—

6 (I) a facility of the Department;

7 and

8 (II) a non-Department facility.

9 (vi) A review of staffing needs and
10 gaps with respect to the Program.

11 (vii) Any recommendations for
12 changes to the operation of the Program,
13 including any policy changes, guidance
14 changes, training changes, or other
15 changes.

16 (C) ANONYMITY.—The Secretary shall pro-
17 vide the data under this paragraph pursuant to
18 Federal laws and in a manner that is wholly
19 consistent with applicable Federal privacy and
20 confidentiality laws, including but the Privacy
21 Act (5 U.S.C. 552a), the Health Insurance
22 Portability and Accountability Act (Public Law
23 104–191; 42 U.S.C. 201 note) and regulations
24 (title 45, Code of Federal Regulations, parts
25 160 and 164, or successor regulations), and

1 sections 5701, 5705, and 7332 of title 38,
2 United States Code, to ensure that the provided
3 data, or some portion of the data, will not un-
4 dermine the anonymity of a veteran.

5 (i) REVISION OF GUIDANCE.—The Secretary shall
6 update the guidance of the Department of Veterans Af-
7 fairs on the operation of the Mental Health Residential
8 Rehabilitation Treatment Program to reflect each of the
9 requirements under subsections (b) through (h).

10 (j) DEADLINE.—The Secretary of Veterans Affairs
11 shall carry out each requirement under this section by not
12 later than one year after the date of the enactment of this
13 Act, unless otherwise specified.

14 (k) COMPTROLLER GENERAL REVIEW.—

15 (1) IN GENERAL.—Not later than two years
16 after the date of the enactment of this Act, the
17 Comptroller General of the United States shall re-
18 view access to care under the Program for covered
19 veterans in need of residential mental health care
20 and substance use disorder care.

21 (2) ELEMENTS.—The review required by para-
22 graph (1) shall include the following:

23 (A) A review of wait times under the Pro-
24 gram, disaggregated by—

1 (i) treatment track or specificity of
2 residential rehabilitation treatment care
3 needed;

4 (ii) sex of the covered veteran;

5 (iii) home State of the covered vet-
6 eran;

7 (iv) home Veterans Integrated Service
8 Network of the covered veteran; and

9 (v) wait times for—

10 (I) facilities of the Department;

11 and

12 (II) non-Department facilities.

13 (B) A review of policy and training of the
14 Department on screening, admission, and place-
15 ment under the Program.

16 (C) A review of the rights of covered vet-
17 erans and providers to appeal admission deci-
18 sions under the Program and how the Depart-
19 ment adjudicates appeals.

20 (D) When determining the facility at which
21 a covered veteran admitted to the Program will
22 be placed in the Program, a review of how the
23 input of the covered veteran is taken into con-
24 sideration with respect to—

1 (i) program specialty, subtype, or
2 treatment track offered to the covered vet-
3 eran; and

4 (ii) the geographic placement of the
5 covered veteran, including family- or occu-
6 pation-related preferences or cir-
7 cumstances.

8 (E) A review of staffing and staffing needs
9 and gaps of the Program, including with re-
10 spect to—

11 (i) mental health providers and coor-
12 dinators at the facility level;

13 (ii) staff of Program facilities;

14 (iii) staff of Veterans Integrated Serv-
15 ice Networks; and

16 (iv) overall administration of the Pro-
17 gram at the national level.

18 (F) Recommendations for improvement of
19 access by covered veterans to care under the
20 Program, including with respect to—

21 (i) any new sites or types of programs
22 needed or in development;

23 (ii) changes in training or policy;

24 (iii) changes in communications with
25 covered veterans; and

1 (iv) oversight of the Program by the
2 Department.

3 (l) DEFINITIONS.—In this section:

4 (1) The term “covered veteran” means a vet-
5 eran described in section 1703(b) of title 38, United
6 States Code.

7 (2) The term “Mental Health Residential Reha-
8 bilitation Treatment Program”—

9 (A) means—

10 (i) a mental health residential reha-
11 bilitation treatment program of the De-
12 partment under sections 103 and 104 of
13 the Veterans Mental Health and Other
14 Care Improvement Act of 2008 (Public
15 Law 110–387); and

16 (ii) the array of programs and serv-
17 ices of the Department that comprise resi-
18 dential care for mental health and sub-
19 stance use disorders;

20 (B) includes—

21 (i) the programs designated as of the
22 date of the enactment of this Act as domi-
23 ciliary residential rehabilitation treatment
24 programs; and

1 (ii) any programs designated as domi-
2 ciliary residential rehabilitation treatment
3 programs on or after such date of enact-
4 ment; and

5 (C) does not include compensated work
6 therapy transition resident programs of the De-
7 partment.

8 (3) The term “treatment track” means a spe-
9 cialized treatment program that is provided to a sub-
10 set of covered veterans in the Program who receive
11 the same or similar intensive treatment and rehabili-
12 tative services.

13 (m) SUNSET.—This section shall terminate on the
14 day that is two years after that date on which the Sec-
15 retary completes carrying out each requirement pursuant
16 to subsection (j).

17 **SEC. 107. PILOT PROGRAM TO IMPROVE ADMINISTRATION**
18 **OF CARE UNDER VETERANS COMMUNITY**
19 **CARE PROGRAM.**

20 (a) ESTABLISHMENT.—Pursuant to section 1703E of
21 title 38, United States Code, the Secretary of Veterans
22 Affairs shall carry out a pilot program to seek to develop
23 and implement a plan—

24 (1) to provide monetary and non-monetary in-
25 centives to a covered health care provider—

1 (A) to allow the Secretary to see the sched-
2 uling system of the provider, to assess the avail-
3 ability of, and to assist in scheduling appoint-
4 ments for, veterans under the Veterans Com-
5 munity Care Program under section 1703 of
6 such title, including through synchronous, asyn-
7 chronous, and asynchronous assisted digital
8 scheduling;

9 (B) to complete continuing professional
10 educational training available through the VHA
11 TRAIN program (or any successor program or
12 initiative) regarding veteran cultural com-
13 petency, the opioid safety initiative (or any suc-
14 cessor program or initiative), and other subjects
15 determined appropriate by the Secretary;

16 (C) to improve methods of accounting for
17 non-Department training that is equivalent or
18 substantially similar to the continuing profes-
19 sional educational training described in sub-
20 paragraph (B);

21 (D) to improve the rate of the timely re-
22 turn to the Secretary of medical record docu-
23 mentation for care or services provided under
24 the Veterans Community Care Program;

1 (E) to improve the timeliness and quality
2 of the delivery of care and services to veterans
3 under such program; and

4 (F) to achieve other objectives determined
5 appropriate by the Secretary; and

6 (2) to decrease the rate of no-show appoint-
7 ments under such program.

8 (b) REPORT.—Not later than one year after the date
9 of the establishment of the pilot program under this sec-
10 tion, annually thereafter during the term of the pilot pro-
11 gram, the Secretary of Veterans Affairs shall submit to
12 the Committees on Veterans' Affairs of the House of Rep-
13 resentatives and the Senate a report on the pilot program
14 that includes, with respect to the period covered by the
15 report—

16 (1) an assessment of the extent to which—

17 (A) the system of the Department of Vet-
18 erans Affairs for scheduling appointments for
19 veterans under the Veterans Community Care
20 Program has improved;

21 (B) the rate of timely return to the Sec-
22 retary of medical record documentation de-
23 scribed in subparagraph (D) of subsection
24 (a)(1) has improved;

1 (C) the timeliness and quality of the deliv-
2 ery of care and services described in subpara-
3 graph (E) of such subsection has improved; and

4 (D) the frequency of no-show appointments
5 described in paragraph (2) of such subsection
6 decreased;

7 (2) a list of the continuing professional edu-
8 cational training courses under subparagraph (B) of
9 such subsection available to covered health care pro-
10 viders;

11 (3) the rate of participation in such continuing
12 professional education training courses; and

13 (4) any other matter the Secretary determines
14 appropriate.

15 (c) DEFINITIONS.—In this section:

16 (1) The term “covered health care provider”
17 means a health care provider—

18 (A) described in subsection (c) of section
19 1703 of title 38, United States Code, that fur-
20 nishes care or services under the Veterans Com-
21 munity Care Program pursuant to a contract or
22 agreement with a Third Party Administrator;
23 or

24 (B) that otherwise furnishes care or serv-
25 ices outside of Department facilities pursuant

1 to a contract or agreement with the Secretary
2 of Veterans Affairs.

3 (2) The term “opioid safety initiative” means
4 the programs, processes, and guidelines of the Vet-
5 erans Health Administration of the Department of
6 Veterans Affairs relating to the management of
7 opioid therapy and chronic pain.

8 (3) The term “Third Party Administrator”
9 means an entity that manages a network of health
10 care providers and performs administrative services
11 related to such network under section 1703 of such
12 title.

13 (4) The term “VHA TRAIN program” means
14 the free program of the Veterans Health Adminis-
15 tration that offers veteran-specific continuing med-
16 ical education courses.

17 **SEC. 108. PILOT PROGRAM ON CONSOLIDATING APPROVAL**
18 **PROCESS OF DEPARTMENT OF VETERANS AF-**
19 **FAIRS FOR COVERED DENTAL CARE.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the Secretary of Vet-
22 erans Affairs shall carry out a pilot program to hire—

23 (1) general dentists at medical facilities of the
24 Department of Veterans Affairs to manage approval
25 by the Department of treatment plans requested by

1 dental providers in providing covered dental care;
2 and

3 (2) dental specialists at Veterans Integrated
4 Service Networks of the Department to manage ap-
5 proval by the Department of treatment plans for
6 specialty dental care requested by dental providers
7 in providing covered dental care.

8 (b) LOCATIONS.—The Secretary shall carry out the
9 pilot program in not fewer than two Veterans Integrated
10 Service Networks of the Department.

11 (c) REPORTS.—

12 (1) INITIAL REPORT.—Not later than one year
13 after the date of the commencement of such pilot
14 program, the Secretary shall submit to the Commit-
15 tees on Veterans' Affairs of the Senate and the
16 House of Representatives a report on the pilot pro-
17 gram, that includes—

18 (A) an identification of the Veterans Inte-
19 grated Service Networks participating in such
20 pilot program;

21 (B) a description of the implementation of
22 such pilot program;

23 (C) an identification of any barriers or
24 challenges to implementing such pilot program;

1 (D) an assessment of the efficacy of hiring
2 general dentists and dental specialists pursuant
3 to such pilot program;

4 (E) aggregated feedback with respect to
5 such pilot program from dentists of the Depart-
6 ment in Veterans Integrated Service Networks
7 participating in such pilot program; and

8 (F) aggregated feedback from dental pro-
9 viders providing covered dental care within such
10 Veterans Integrated Service Networks regard-
11 ing any changes in the timeliness of treatment
12 plan approvals by the Department.

13 (2) FINAL REPORT.—Not later than 90 days
14 before the date of the completion of such pilot pro-
15 gram, the Secretary shall submit to the Committees
16 on Veterans' Affairs of the Senate and the House of
17 Representatives a report on the pilot program that—

18 (A) includes, with respect to the period
19 covered by the report, each element of the re-
20 port required under paragraph (1) described in
21 subparagraphs (A) through (F) of such para-
22 graph;

23 (B) includes recommendations of the Sec-
24 retary on whether the pilot program should
25 be—

- 1 (i) extended;
- 2 (ii) expanded; or
- 3 (iii) adopted throughout the Depart-
- 4 ment; and

5 (C) indicates whether the Secretary re-

6 quests action by Congress to make the pilot

7 program permanent.

8 (d) SUNSET.—The authority to carry out the pilot

9 program under this section shall terminate on the date

10 that is two years after the date of the enactment of this

11 Act.

12 (e) COVERED DENTAL CARE DEFINED.—In this sec-

13 tion, the term “covered dental care” means dental care

14 provided—

15 (1) under section 1703 of title 38, United

16 States Code; or

17 (2) pursuant to a Veterans Care Agreement

18 under section 1703A of such title.

19 **SEC. 109. STRATEGIC PLAN ON VALUE-BASED HEALTH**

20 **CARE SYSTEM FOR VETERANS HEALTH AD-**

21 **MINISTRATION; PILOT PROGRAM.**

22 (a) ESTABLISHMENT OF WORKING GROUP.—

23 (1) IN GENERAL.—Not later than one year

24 after the date of the enactment of this Act, the Sec-

25 retary of Veterans Affairs shall—

1 (A) establish a working group on value-
2 based care; and

3 (B) submit to the Committees on Veterans'
4 Affairs of the House of Representatives and the
5 Senate the strategic plan developed by the
6 working group pursuant to subsection (b).

7 (2) MEMBERSHIP.—

8 (A) REQUIRED MEMBERS.—The working
9 group shall include, at a minimum, the fol-
10 lowing members:

11 (i) The Under Secretary for Health of
12 the Department of Veterans Affairs.

13 (ii) The Director of the Office of Men-
14 tal Health and Suicide Prevention of the
15 Department of Veterans Affairs (or any
16 successor office).

17 (iii) The Director of the Office of In-
18 tegrated Veteran Care of the Department
19 (or any successor office).

20 (iv) The Director of the Office of
21 Rural Health of the Department (or any
22 successor office).

23 (v) The Director of the Office of Con-
24 nected Care of the Department (or any
25 successor office).

1 (vi) The Assistant Secretary for the
2 Office of Information Technology (or any
3 successor office).

4 (vii) The Chief Officer of the Office of
5 Healthcare Innovation and Learning of the
6 Office of Discovery, Education, and Affil-
7 iate Networks of the Veterans Health Ad-
8 ministration (or any successor office).

9 (viii) An individual designated by the
10 Secretary from the Center for Innovation
11 for Care and Payment of the Department
12 under section 1703E of title 38, United
13 States Code.

14 (ix) An individual designated by the
15 Administrator of the Centers for Medicare
16 & Medicaid Services from the Center for
17 Medicare and Medicaid Innovation.

18 (x) An individual designated by the
19 Secretary of Health and Human Services
20 from the Federal Office of Rural Health
21 Policy of the Health Resources and Serv-
22 ices Administration.

23 (xi) The Chief of Human Capital
24 Management for the Veterans Health Ad-
25 ministration.

1 (xii) An individual designated by the
2 Secretary of Defense that is a representa-
3 tive of the Defense Health Agency.

4 (xiii) An individual selected by the
5 Secretary of Veterans Affairs from the spe-
6 cial medical advisory group established
7 under section 7312 of title 38, United
8 States Code.

9 (B) OPTIONAL MEMBERS.—The Secretary
10 of Veterans Affairs may appoint any of the fol-
11 lowing individuals as members of the working
12 group:

13 (i) An individual representing the
14 Health and Medicine Division of the Na-
15 tional Academies of Sciences, Engineering,
16 and Medicine.

17 (ii) Three individuals representing a
18 private health care system that has made
19 the transition to value-based care.

20 (iii) Three individuals representing an
21 organization recognized by the Secretary of
22 Veterans Affairs under section 5902 of
23 title 38, United States Code.

1 (3) EXEMPTION FROM FACa.—Chapter 10 of
2 title 5, United States Code, shall not apply to the
3 working group established under paragraph (1).

4 (b) DEVELOPMENT OF STRATEGIC PLAN.—The
5 working group shall develop a strategic plan to implement
6 value-based care into the Veterans Health Administration
7 that includes the following:

8 (1) An identification of the state of the Vet-
9 erans Health Administration as of the date of the
10 enactment of this Act, including an assessment of
11 the current model of health care delivery used by the
12 Veterans Health Administration in medical facilities
13 of the Department of Veterans Affairs.

14 (2) An assessment of the capacity needs of the
15 Veterans Health Administration during the five-year
16 period beginning on the date of the enactment of
17 this Act.

18 (3) An analysis of the leadership of the Vet-
19 erans Health Administration, including an assess-
20 ment of leadership acumen and ability to implement
21 a clear, shared vision and effective change manage-
22 ment and care coordination.

23 (4) An identification of goals for the future of
24 the Veterans Health Administration.

1 (5) An identification and classification of the
2 current capabilities, capacity, and gaps in access and
3 quality of the health care system of the Department
4 of Veterans Affairs.

5 (6) An analysis of value-based care models, in-
6 cluding—

7 (A) a selection of potential models that
8 would best work for the Veterans Health Ad-
9 ministration;

10 (B) the capacity and capabilities of each
11 such model; and

12 (C) a thorough justification of the selection
13 of each selected model, including an summary
14 of the ability of such model to improve the
15 metrics described under paragraph (9).

16 (7) A definition of what quality means with re-
17 spect to—

18 (A) access to health care under the laws
19 administered by the Secretary of Veterans Af-
20 fairs; and

21 (B) delivery of such health care.

22 (8) A definition of what value means with re-
23 spect to care furnished by the Veterans Health Ad-
24 ministration,

1 (9) A system for measuring value within the
2 Veterans Health Administration that includes
3 metrics for—

4 (A) outcomes;

5 (B) safety;

6 (C) service;

7 (D) access;

8 (E) productivity;

9 (F) capacity;

10 (G) equity; and

11 (H) total cost of patient care.

12 (10) With respect to the system described in
13 subparagraph (H), an analysis of variable value with
14 respect to patient outcomes across different health
15 care types and specialties.

16 (11) An assessment of—

17 (A) previous or ongoing assessments of the
18 current information technology infrastructure of
19 the Veterans Health Administration, includ-
20 ing—

21 (i) such assessments conducted pursu-
22 ant to the Electronic Health Record Mod-
23 ernization program of the Department of
24 Veterans Affairs; and

1 (ii) any other ongoing information
2 technology modernization programs of such
3 Department and any unimplemented rel-
4 evant recommendations from such assess-
5 ments;

6 (B) the information technology infrastruc-
7 ture of the Veterans Health Administration in
8 effect as of the date of the enactment of this
9 Act;

10 (C) the value-driven framework of the De-
11 partment, in effect as of the date of the enact-
12 ment of this Act, for evaluating health care in-
13 novations, and how improvements in such
14 framework could be used to encourage innova-
15 tion; and

16 (D) workforce challenges and needs of the
17 Veterans Health Administration based on—

18 (i) reviews of workforce assessment
19 data available as of the date of the enact-
20 ment of this Act; and

21 (ii) the findings of—

22 (I) the report required by section
23 301(d) of the Veterans Access,
24 Choice, and Accountability Act of
25 2014 (Public Law 113–146);

1 (II) the reports required by sec-
2 tion 505 of the John S. McCain III,
3 Daniel K. Akaka and Samuel R.
4 Johnson VA Maintaining Internal
5 Systems and Strengthening Inte-
6 grated Outside Networks Act of 2018
7 (Public Law 115–182);

8 (III) the report required by sec-
9 tion 301 of the VA Choice and Qual-
10 ity Employment Act of 2017 (Public
11 Law 115–46); and

12 (IV) any comprehensive health
13 care inspection conducted by the In-
14 spector General of the Department of
15 Veterans Affairs as of the date of the
16 enactment of this Act.

17 (12) Any recommendations of the working
18 group with respect to improving the information
19 technology infrastructure described in clause (i) of
20 subparagraph (J).

21 (13) An analysis of how the value-driven frame-
22 work described in clause (iii) of such subparagraph
23 could be used to improve the model of care delivery
24 by the Department.

1 (14) A description of how a value-based care
2 system would apply to primary care, inpatient and
3 outpatient mental health care, and inpatient and
4 outpatient substance use treatment, spinal cord in-
5 jury disorder care, and polytrauma care furnished by
6 the Veterans Health Administration.

7 (15) With respect to legislative or administra-
8 tive action necessary to incorporate value-based care
9 models into the Veterans Health Administration, a
10 description of the estimated timelines, effect on
11 workforce, and costs.

12 (c) PILOT PROGRAM.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the submission of the strategic plan pursuant
15 to subsection (b), the Secretary of Veterans Affairs
16 shall commence a three-year pilot program to imple-
17 ment the elements of such strategic plan relating to
18 the delivery, by the Veterans Health Administration,
19 of primary care, inpatient and outpatient mental
20 health treatment, inpatient and outpatient substance
21 abuse treatment, spinal cord injury disorder care,
22 and polytrauma care.

23 (2) LOCATIONS.—The Secretary shall carry out
24 such pilot program in four Veterans Integrated

1 Service Networks that are geographically dispersed
2 and shall include the following:

3 (A) A Veterans Integrated Service Net-
4 work that predominately serves veterans in
5 rural and highly rural areas.

6 (B) A Veterans Integrated Service Net-
7 work that predominately serves veterans in
8 urban areas.

9 (C) A Veterans Integrated Service Net-
10 work that has a high rate of suicide among vet-
11 erans.

12 (D) A Veterans Integrated Service Net-
13 work that has a high rate of substance use dis-
14 order among veterans.

15 (E) A Veterans Integrated Service Net-
16 work that has access or productivity challenges.

17 (3) REPORTS TO CONGRESS.—

18 (A) ANNUAL REPORT.—Not later than one
19 year after the commencement of the pilot pro-
20 gram, and annually thereafter during the dura-
21 tion of the pilot program, the Secretary shall
22 submit to Congress a report on the pilot pro-
23 gram.

24 (B) FINAL REPORT.—Not later than 90
25 days before the conclusion of the pilot program,

1 the Secretary shall submit to Congress a final
2 report on the pilot program that includes—

3 (i) lessons learned during the adminis-
4 tration of such pilot program; and

5 (ii) specific health outcomes in veteran
6 patient care compared to the Veterans
7 Health Administration system of care in
8 effect as of the date of the enactment of
9 this Act.

10 **SEC. 110. PLAN ON ADOPTION OF CERTAIN HEALTH INFOR-**
11 **MATION STANDARDS FOR DEPARTMENT OF**
12 **VETERANS AFFAIRS AND CERTAIN HEALTH**
13 **CARE PROVIDERS.**

14 (a) PLAN FOR CERTAIN HEALTH INFORMATION
15 STANDARDS.—

16 (1) IN GENERAL.—The Secretary of Veterans
17 Affairs, in consultation with the Secretary of Health
18 and Human Services, the Administrator of the Cen-
19 ters for Medicare & Medicaid Services, and the Na-
20 tional Coordinator for Health Information Tech-
21 nology of the Department of Health and Human
22 Services, shall create and implement a plan to adopt,
23 as rapidly and to the most comprehensive extent fea-
24 sible, national health information interoperability

1 standards for the Department of Veterans Affairs
2 and community care providers with respect to—

3 (A) coordination of—

4 (i) care; and

5 (ii) benefits;

6 (B) patient identity matching;

7 (C) measurement and reporting of quality;

8 (D) population health; and

9 (E) public health.

10 (2) CONSIDERATION.—In developing the plan
11 under paragraph (1), the Secretary of Veterans Af-
12 fairs shall consider challenges faced by—

13 (A) small community care providers; and

14 (B) community care providers located in
15 rural areas.

16 (b) PLAN ON ELECTRONIC HEALTH RECORD EX-
17 CHANGE.—

18 (1) IN GENERAL.—Not later than one year
19 after the date of enactment of this Act, the Sec-
20 retary shall submit to the Committees on Veterans'
21 Affairs of the Senate and the House of Representa-
22 tives a plan to provide, at no cost, to community
23 care providers of the Department, through Third
24 Party Administrators, a capability to facilitate the

1 electronic direct exchange, between such providers
2 and the Department, of—

3 (A) the health records of veterans; and

4 (B) documents relating to health care of
5 veterans, clinical notes, and any other informa-
6 tion the Secretary determines necessary.

7 (2) PRIORITIZATION.—In developing the plan
8 required under paragraph (1), the Secretary shall
9 prioritize providing the capability described in such
10 paragraph to community care providers that—

11 (A) provide care under the laws adminis-
12 tered by the Secretary to—

13 (i) a lower volume of veterans; and

14 (ii) veterans who are located in rural
15 areas; and

16 (B) are unable or unwilling to exchange
17 the records and documents described in sub-
18 paragraphs (A) and (B) of such paragraph with
19 the Department through standards-based or di-
20 rect exchange mechanisms in effect as of the
21 date of the enactment of this Act.

22 (c) REPORTS ON PLAN FOR INTEROPERABILITY
23 STANDARDS.—

24 (1) INITIAL REPORT.—Not later than one year
25 after the date of the enactment of this Act, the Sec-

1 retary of Veterans Affairs shall submit to the Com-
2 mittees on Veterans' Affairs of the Senate and the
3 House of Representatives—

4 (A) the plan required by subsection (a);

5 and

6 (B) a report that includes—

7 (i) an analysis of gaps, if any, be-
8 tween the use, by the Department and
9 other agencies, health information ex-
10 changes, and technology companies, of na-
11 tional health information interoperability
12 standards and the potential, or optimal,
13 use of such national health information
14 interoperability standards;

15 (ii) an analysis and description of the
16 participation by the Department, commu-
17 nity care providers, and other relevant en-
18 tities in the Trusted Exchange Framework
19 and Common Agreement program of the
20 Department of Health and Human Serv-
21 ices as of the date of the enactment of this
22 Act;

23 (iii) recommendations of the Secretary
24 with respect to development of health in-
25 formation interoperability standards;

1 (iv) timelines or schedules to imple-
2 ment the plan required by subsection (a);
3 and

4 (v) an identification of any legislative
5 authorities or resources the Secretary re-
6 quires to implement such plan.

7 (2) RECURRING REPORT REQUIREMENT.—

8 (A) IN GENERAL.—Not later than 18
9 months after the date of the enactment of this
10 Act, and every 180 days thereafter for four
11 years, the Secretary of Veterans Affairs shall
12 submit to Committees on Veterans' Affairs of
13 the Senate and the House of Representatives a
14 report on the status of implementation of the
15 plan required under subsection (a).

16 (B) ELEMENTS OF SUBSEQUENT RE-
17 PORTS.—Each report under subparagraph (A)
18 submitted after the date on which the first re-
19 port required by such subparagraph is sub-
20 mitted shall include a description of any revi-
21 sions to—

22 (i) the plan required by subsection (a)
23 made during the period covered by the re-
24 port; and

1 (ii) the analysis, recommendations,
2 timelines, and legislative authorities re-
3 ported pursuant to paragraph (1).

4 (d) DEFINITIONS.—In this section:

5 (1) The term “community care provider” means
6 a non-Department health care provider providing
7 care (including dental care)—

8 (A) under section 1703 of title 38, United
9 States Code;

10 (B) pursuant to a Veterans Care Agree-
11 ment under section 1703A of such title; or

12 (C) under any other law administered by
13 the Secretary of Veterans Affairs.

14 (2) The term “Third Party Administrator”
15 means an entity that manages a provider network
16 and performs administrative services related to such
17 network under section 1703 of title 38, United
18 States Code.

19 **SEC. 111. REPORT ON USE OF VALUE-BASED REIMBURSE-**
20 **MENT MODELS UNDER VETERANS COMMU-**
21 **NITY CARE PROGRAM.**

22 (a) REPORT ON VALUE-BASED REIMBURSEMENT
23 MODELS.—Not later than one year after the date of the
24 enactment of this Act, the Secretary of Veterans Affairs,
25 in consultation with the Center for Innovation for Care

1 and Payment of the Department of Veterans Affairs under
2 section 1703E of title 38 United States Code, the Office
3 of Integrated Veteran Care of the Department, or suc-
4 cessor office, and Third Party Administrators, shall sub-
5 mit to the Committees on Veterans' Affairs of the House
6 of Representatives and the Senate a report containing—

7 (1) an assessment of the efforts of the Depart-
8 ment pursuant to section 1703(i)(5) of such title, to
9 incorporate value-based reimbursement models under
10 the Veterans Community Care Program to promote
11 the provision of high-quality care to veterans; and

12 (2) such recommendations for legislative or ad-
13 ministrative action as the Secretary considers appro-
14 priate regarding the use of value-based reimburse-
15 ment models throughout the Veterans Community
16 Care Program under section 1703 of such title.

17 (b) RULE OF CONSTRUCTION.—This section shall not
18 be construed to be a pilot program subject to the require-
19 ments of section 1703E of title 38, United States Code.

20 (c) THIRD PARTY ADMINISTRATOR DEFINED.—In
21 this section, the term “Third Party Administrator” means
22 an entity that manages a provider network and performs
23 administrative services related to such network under sec-
24 tion 1703 of title 38, United States Code.

1 **SEC. 112. INSPECTOR GENERAL ASSESSMENT OF IMPLE-**
2 **MENTATION OF VETERANS COMMUNITY**
3 **CARE PROGRAM.**

4 (a) IN GENERAL.—Not later than two years after the
5 date of the enactment of this Act, and periodically there-
6 after, the Inspector General shall assess the performance
7 of a representative sample of medical centers in each Vet-
8 erans Integrated Service Network of the Department of
9 Veterans Affairs in—

10 (1) appropriately identifying veterans eligible
11 for care and services under section 1703 of title 38,
12 United States Code;

13 (2) informing veterans of their eligibility for
14 such care and services; and

15 (3) delivering such care and services in a timely
16 manner.

17 (b) BRIEFING ON ASSESSMENTS.—Upon the submis-
18 sion of the initial assessment required by subsection (a),
19 the Inspector General of the Department of Veterans Af-
20 fairs shall provide to the Committees on Veterans Affairs
21 of the House of Representatives and the Senate a briefing
22 on the plans of such Inspector General with respect to the
23 findings, frequency, and methodology relating to such as-
24 sessment.

1 **SEC. 113. COMPTROLLER GENERAL REPORT ON DENTISTRY**
2 **UNDER VETERANS COMMUNITY CARE PRO-**
3 **GRAM.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of the enactment of this Act, the Comptroller General
6 of the United States shall submit to the Committees on
7 Veterans' Affairs of the Senate and the House of Rep-
8 resentatives a report on dental care furnished by the Sec-
9 retary of Veterans Affairs under the Veterans Community
10 Care Program under section 1703 of title 38, United
11 States Code, that includes a review of—

12 (1) the impact current reimbursement rates
13 provided by the Department of Veterans Affairs to
14 dental providers under such program have on—

15 (A) the availability of dental care for vet-
16 erans; and

17 (B) the ability of Third Party Administra-
18 tors to meet their contractual obligations for
19 network adequacy;

20 (2) the satisfaction of dental providers pro-
21 viding dental care under such program with the
22 processes of the Department for approving dental
23 care under such program; and

24 (3) the current processes of the Department for
25 approving emergent dental care under such program.

1 (b) THIRD PARTY ADMINISTRATOR DEFINED.—In
2 this section, the term “Third Party Administrator” means
3 an entity that manages a provider network and performs
4 administrative services related to such network under sec-
5 tion 1703 of title 38, United States Code.

6 **Subtitle B—Matters Relating to**
7 **Nursing Home and Other Long**
8 **Term Care and Family Care-**
9 **givers**

10 **SEC. 120. INCREASE OF EXPENDITURE CAP FOR NON-**
11 **INSTITUTIONAL CARE ALTERNATIVES TO**
12 **NURSING HOME CARE.**

13 (a) INCREASE OF EXPENDITURE CAP.—Section
14 1720C(d) of title 38, United States Code, is amended—

15 (1) by striking “The total cost” and inserting
16 “(1) Except as provided in paragraph (2), the total
17 cost”;

18 (2) by striking “65 percent” and inserting “100
19 percent”; and

20 (3) by adding at the end the following new
21 paragraph:

22 “(2)(A) The total cost of providing services or in-kind
23 assistance in the case of any veteran described in subpara-
24 graph (B) for any fiscal year under the program may ex-
25 ceed 100 percent of the cost that would otherwise have

1 been incurred as specified in paragraph (1) if the Sec-
2 retary determines, based on a consideration of clinical
3 need, geographic market factors, and such other matters
4 as the Secretary may prescribe through regulation, that
5 such higher total cost is in the best interest of the veteran.

6 “(B) A veteran described in this subparagraph is a
7 veteran with amyotrophic lateral sclerosis, a spinal cord
8 injury, or a condition the Secretary determines to be simi-
9 lar to such conditions.”.

10 (b) APPLICABILITY.—The amendments made by sub-
11 section (a) shall apply with respect to fiscal years begin-
12 ning on or after the date of the enactment of this Act.

13 **SEC. 121. COORDINATION WITH PROGRAM OF ALL-INCLU-**
14 **SIVE CARE FOR THE ELDERLY.**

15 Section 1720C of title 38, United States Code, as
16 amended by section 120, is further amended by adding
17 at the end the following new subsection:

18 “(f) In furnishing services to a veteran under the pro-
19 gram conducted pursuant to subsection (a), if a medical
20 center of the Department through which such program is
21 administered is located in a geographic area in which serv-
22 ices are available to the veteran under a PACE program
23 (as such term is defined in sections 1894(a)(2) and
24 1934(a)(2) of the Social Security Act (42 U.S.C.
25 1395eee(a)(2); 1396u–4(a)(2))), the Secretary shall seek

1 to enter into an agreement with the PACE program oper-
2 ating in that area for the furnishing of such services.”.

3 **SEC. 122. AUTHORITY FOR SECRETARY OF VETERANS AF-**
4 **FAIRS TO AWARD GRANTS OR CONTRACTS TO**
5 **ENTITIES TO IMPROVE PROVISION OF MEN-**
6 **TAL HEALTH SUPPORT TO FAMILY CARE-**
7 **GIVERS OF VETERANS.**

8 Subchapter II of chapter 17 of title 38, United States
9 Code, is amended by adding at the end the following new
10 section (and conforming the table of sections at the begin-
11 ning of such chapter accordingly):

12 **“§ 1720K. Grants or contracts to provide mental**
13 **health support to family caregivers of**
14 **veterans**

15 “(a) **AUTHORITY.**—The Secretary may award grants
16 to carry out, coordinate, improve, or otherwise enhance
17 mental health counseling, treatment, or support to the
18 family caregivers of veterans participating in the family
19 caregiver program.

20 “(b) **APPLICATION.**—(1) To be eligible for a grant or
21 contract under this section, an entity shall submit to the
22 Secretary an application therefor at such time, in such
23 manner, and containing such information as the Secretary
24 may require.

1 “(2) Each application submitted under paragraph (1)
2 shall include the following:

3 “(A) A detailed plan for the use of the grant
4 or contract.

5 “(B) A description of the programs or efforts
6 through which the entity will meet the outcome
7 measures developed by the Secretary under sub-
8 section (g).

9 “(C) A description of how the entity will dis-
10 tribute grant or contract amounts equitably among
11 areas with varying levels of urbanization.

12 “(D) A plan for how the grant or contract will
13 be used to meet the unique needs of veterans resid-
14 ing in rural areas, Native American, Native Hawai-
15 ian, or Alaska Native veterans, elderly veterans,
16 women veterans, and veterans from other under-
17 served communities.

18 “(c) DISTRIBUTION.—The Secretary shall seek to en-
19 sure that grants and contracts awarded under this section
20 are equitably distributed among entities located in States
21 with varying levels of urbanization.

22 “(d) PRIORITY.—The Secretary shall prioritize
23 awarding grants or contracts under this section that will
24 serve the following areas:

1 “(1) Areas with high rates of veterans enrolled
2 in the family caregiver program.

3 “(2) Areas with high rates of—

4 “(A) suicide among veterans; or

5 “(B) referrals to the Veterans Crisis Line.

6 “(e) REQUIRED ACTIVITIES.—Any grant or contract
7 awarded under this section shall be used—

8 “(1) to expand existing programs, activities,
9 and services;

10 “(2) to establish new or additional programs,
11 activities, and services; or

12 “(3) for travel and transportation to facilitate
13 carrying out paragraph (1) or (2).

14 “(f) OUTCOME MEASURES.—(1) The Secretary shall
15 develop and provide to each entity that receives a grant
16 or contract under this section written guidance on the fol-
17 lowing:

18 “(A) Outcome measures.

19 “(B) Policies of the Department.

20 “(2) In developing outcome measures under para-
21 graph (1), the Secretary shall consider the following goals:

22 “(A) Increasing the utilization of mental health
23 services among family caregivers of veterans partici-
24 pating in the family caregiver program.

1 “(B) Reducing barriers to mental health serv-
2 ices among family caregivers of veterans partici-
3 pating in such program.

4 “(g) TRACKING REQUIREMENTS.—(1) The Secretary
5 shall establish appropriate tracking requirements with re-
6 spect to the entities receiving a grant or contract under
7 this section.

8 “(2) Not less frequently than annually, the Secretary
9 shall submit to Congress a report on such tracking re-
10 quirements.

11 “(h) PERFORMANCE REVIEW.—The Secretary
12 shall—

13 “(1) review the performance of each entity that
14 receives a grant or contract under this section; and

15 “(2) make information regarding such perform-
16 ance publicly available.

17 “(i) REMEDIATION PLAN.—(1) In the case of an enti-
18 ty that receives a grant or contract under this section and
19 does not meet the outcome measures developed by the Sec-
20 retary under subsection (g), the Secretary shall require the
21 entity to submit to the Secretary a remediation plan under
22 which the entity shall describe how and when it plans to
23 meet such outcome measures.

24 “(2) The Secretary may not award a subsequent
25 grant or contract under this section to an entity described

1 in paragraph (1) unless the Secretary approves the reme-
2 diation plan submitted by the entity under such para-
3 graph.

4 “(j) MAXIMUM AMOUNT.—The amount of a grant or
5 contract awarded under this section may not exceed 10
6 percent of amounts made available for grants or contracts
7 under this section for the fiscal year in which the grant
8 or contract is awarded.

9 “(k) SUPPLEMENT, NOT SUPPLANT.—Any grant or
10 contract awarded under this section shall be used to sup-
11 plement and not supplant funding that is otherwise avail-
12 able through the Department to provide mental health
13 support among family caregivers of veterans participating
14 in the family caregiver program.

15 “(l) OUTREACH TO FAMILY CAREGIVERS.—The Sec-
16 retary shall include, in the outreach materials regularly
17 provided to a family caregiver who participates in the fam-
18 ily caregiver program, notice of mental health support pro-
19 vided by recipients of grants or contracts under this sec-
20 tion that are located in the relevant Veterans Integrated
21 Service Network.

22 “(m) FUNDING.—(1) Amounts for the activities of
23 the Department under this section shall be budgeted and
24 appropriated through a separate appropriation account.

1 “(2) In the budget justification materials submitted
2 to Congress in support of the budget of the Department
3 for any fiscal year (as submitted with the budget of the
4 President under section 1105(a) of title 31), the Secretary
5 shall include a separate statement of the amount re-
6 quested to be appropriated for that fiscal year for the ac-
7 count specified in paragraph (1).

8 “(n) AUTHORIZATION OF APPROPRIATIONS.—There
9 is authorized to be appropriated to the Secretary, for each
10 of fiscal years 2025 and 2026, \$10,000,000 to carry out
11 this section.

12 “(o) DEFINITIONS.—In this section:

13 “(1) The terms ‘caregiver’ and ‘family care-
14 giver’ have the meanings given those terms in sec-
15 tion 1720G of this title.

16 “(2) The term ‘family caregiver program’
17 means the program of comprehensive assistance for
18 family caregivers under section 1720G of this title.

19 “(3) The term ‘Veterans Crisis Line’ means the
20 toll-free hotline for veterans established under sec-
21 tion 1720F of this title.”.

22 **SEC. 123. HOME- AND COMMUNITY-BASED SERVICES: PRO-**
23 **GRAMS.**

24 (a) PROGRAMS.—Such subchapter is further amend-
25 ed by inserting after section 1720K (as added by section

1 122) the following new section (and conforming the table
2 of sections at the beginning of such chapter accordingly):

3 **“§ 1720L. Home- and community-based services: pro-**
4 **grams**

5 “(a) IN GENERAL.—In furnishing noninstitutional al-
6 ternatives to nursing home care pursuant to the authority
7 of section 1720C of this title (or any other authority under
8 this chapter or other provision of law administered by the
9 Secretary of Veterans Affairs), the Secretary shall carry
10 out each of the programs specified in this section in ac-
11 cordance with such relevant authorities except as other-
12 wise provided in this section.

13 “(b) VETERAN-DIRECTED CARE PROGRAM.—(1) The
14 Secretary of Veterans Affairs, in collaboration with the
15 Secretary of Health and Human Services, shall carry out
16 a program to be known as the ‘Veteran-Directed Care pro-
17 gram’. Under such program, the Secretary of Veterans Af-
18 fairs may enter into agreements with the providers de-
19 scribed in paragraph (2) to provide to eligible veterans
20 funds, to the extent practicable, to obtain such in-home
21 care services and related items that support clinical need
22 and improve quality of life, as may be determined appro-
23 priate by the Secretary of Veterans Affairs and selected
24 by the veteran, including through the veteran hiring indi-

1 viduals to provide such services and items or directly pur-
2 chasing such services and items.

3 “(2) The providers described in this paragraph are
4 the following:

5 “(A) An Aging and Disability Resource Center,
6 an area agency on aging, or a State agency.

7 “(B) A center for independent living.

8 “(C) An Indian tribe or tribal organization re-
9 ceiving assistance under title VI of the Older Ameri-
10 cans Act of 1965 (42 U.S.C. 3057 et seq.).

11 “(D) Any other entity that the Secretary, in
12 consultation with the Secretary of Health and
13 Human Services, determines appropriate.

14 “(3) In carrying out the Veteran-Directed Care pro-
15 gram, the Secretary of Veterans Affairs shall—

16 “(A) administer such program through each
17 medical center of the Department of Veterans Af-
18 fairs;

19 “(B) seek to ensure the availability of such pro-
20 gram in American Samoa, Guam, the Common-
21 wealth of the Northern Mariana Islands, the Com-
22 monwealth of Puerto Rico, the Virgin Islands of the
23 United States, and any other territory or possession
24 of the United States, to the extent practicable; and

1 “(C) seek to ensure the availability of such pro-
2 gram for eligible veterans who are Native American
3 veterans receiving care and services furnished by the
4 Indian Health Service, a tribal health program, an
5 Urban Indian organization, or (in the case of a Na-
6 tive Hawaiian veteran) a Native Hawaiian health
7 care system, to the extent practicable.

8 “(4) If a veteran participating in the Veteran-Di-
9 rected Care program is hospitalized, the veteran may con-
10 tinue to use funds under the program during a period of
11 hospitalization in the same manner that the veteran would
12 be authorized to use such funds under the program if the
13 veteran were not hospitalized.

14 “(c) **HOMEMAKER AND HOME HEALTH AIDE PRO-**
15 **GRAM.**—(1) The Secretary shall carry out a program to
16 be known as the ‘Homemaker and Home Health Aide pro-
17 gram’ under which the Secretary may enter into agree-
18 ments with home health agencies to provide to eligible vet-
19 erans such home health aide services as may be deter-
20 mined appropriate by the Secretary.

21 “(2) In carrying out the Homemaker and Home
22 Health Aide program, the Secretary shall—

23 “(A) administer such program in the locations
24 specified in subparagraph (A) of subsection (b)(3);

1 “(B) seek to ensure the availability of such pro-
2 gram in the locations specified in subparagraph (B)
3 of subsection (b)(3); and

4 “(C) seek to ensure the availability of such pro-
5 gram for the veteran populations specified in sub-
6 paragraph (C) of subsection (b)(3).

7 “(d) HOME-BASED PRIMARY CARE PROGRAM.—The
8 Secretary shall carry out a program to be known as the
9 ‘Home-Based Primary Care program’ under which the
10 Secretary may furnish to eligible veterans in-home health
11 care, the provision of which is overseen by a provider of
12 the Department.

13 “(e) PURCHASED SKILLED HOME CARE PROGRAM.—
14 The Secretary shall carry out a program to be known as
15 the ‘Purchased Skilled Home Care program’ under which
16 the Secretary may furnish to eligible veterans such in-
17 home care services as may be determined appropriate and
18 selected by the Secretary for the veteran.

19 “(f) CAREGIVER SUPPORT.—(1) With respect to a
20 resident eligible caregiver of a veteran participating in a
21 program under this section, the Secretary shall—

22 “(A) if the veteran meets the requirements of
23 a covered veteran under section 1720G(b) of this
24 title, provide to such caregiver the option of enroll-

1 ing in the program of general caregiver support serv-
2 ices under such section;

3 “(B) provide to such caregiver covered respite
4 care of not less than 30 days annually; and

5 “(C) conduct on an annual basis (and, to the
6 extent practicable, in connection with in-person serv-
7 ices provided under the program in which the vet-
8 eran is participating), a wellness contact of such
9 caregiver.

10 “(2) Covered respite care provided to a resident eligi-
11 ble caregiver of a veteran under paragraph (1) may exceed
12 30 days annually if such extension is requested by the resi-
13 dent eligible caregiver or veteran and determined medi-
14 cally appropriate by the Secretary.

15 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion shall be construed to limit the authority of the Sec-
17 retary to carry out programs providing home- and commu-
18 nity-based services under any other provision of law.

19 “(h) DEFINITIONS.—In this section:

20 “(1) The terms ‘Aging and Disability Resource
21 Center’, ‘area agency on aging’, and ‘State agency’
22 have the meanings given those terms in section 102
23 of the Older Americans Act of 1965 (42 U.S.C.
24 3002).

1 “(2) The terms ‘caregiver’ and ‘family care-
2 giver’, with respect to a veteran, have the meanings
3 given those terms, respectively, under subsection (e)
4 of section 1720G of this title with respect to an eli-
5 gible veteran under subsection (a) of such section or
6 a covered veteran under subsection (b) of such sec-
7 tion, as the case may be.

8 “(3) The term ‘center for independent living’
9 has the meaning given that term in section 702 of
10 the Rehabilitation Act of 1973 (29 U.S.C. 796a).

11 “(4) The term ‘covered respite care’ has the
12 meaning given such term in section 1720G(d) of this
13 title.

14 “(5) The term ‘eligible veteran’ means any vet-
15 eran—

16 “(A) for whom the Secretary determines
17 participation in a specific program under this
18 section is medically necessary to promote, pre-
19 serve, or restore the health of the veteran; and

20 “(B) who absent such participation would
21 be at increased risk for hospitalization, place-
22 ment in a nursing home, or emergency room
23 care.

1 “(6) The term ‘home health aide’ means an in-
2 dividual employed by a home health agency to pro-
3 vide in-home care services.

4 “(7) The term ‘in-home care service’ means any
5 service, including a personal care service, provided to
6 enable the recipient of such service to live at home.

7 “(8) The terms ‘Indian tribe’ and ‘tribal organi-
8 zation’ have the meanings given those terms in sec-
9 tion 4 of the Indian Self-Determination and Edu-
10 cation Assistance Act (25 U.S.C. 5304).

11 “(9) The terms ‘Native American’ and ‘Native
12 American veteran’ have the meanings given those
13 terms in section 3765 of this title.

14 “(10) The terms ‘Native Hawaiian’ and ‘Native
15 Hawaiian health care system’ have the meanings
16 given those terms in section 12 of the Native Hawai-
17 ian Health Care Improvement Act (42 U.S.C.
18 11711).

19 “(11) The terms ‘tribal health programs’ and
20 ‘Urban Indian organizations’ have the meanings
21 given those terms in section 4 of the Indian Health
22 Care Improvement Act (25 U.S.C. 1603).

23 “(12) The term ‘resident eligible caregiver’
24 means an individual who—

1 “(A) is a caregiver, or a family caregiver,
2 of a veteran and resides with that veteran; and

3 “(B) has not entered into a contract,
4 agreement, or other arrangement for such indi-
5 vidual to act as a caregiver for that veteran un-
6 less such individual is a family member of the
7 veteran or is furnishing caregiver services
8 through a medical foster home.”.

9 (b) DEADLINE FOR IMPROVED ADMINISTRATION.—

10 The Secretary of Veterans Affairs shall ensure that the
11 Veteran-Directed Care program and the Homemaker and
12 Home Health Aide program are administered through
13 each medical center of the Department of Veterans Affairs
14 in accordance with section 1720L of title 38, United
15 States Code (as added by subsection (a)), by not later
16 than two years after the date of the enactment of this Act.

17 (c) ADMINISTRATION OF VETERAN-DIRECTED CARE
18 PROGRAM.—

19 (1) PROCEDURES.—

20 (A) The Secretary shall establish proce-
21 dures to—

22 (i) identify the staffing needs for the
23 Veteran-Directed Care program of the De-
24 partment of Veterans Affairs under such
25 section (as added by subsection (a)); and

1 (ii) define the roles and responsibil-
2 ities for personnel of the Department re-
3 sponsible for the administration of such
4 program, including such personnel em-
5 ployed at the national, Veterans Integrated
6 Service Network, or medical facility level.

7 (B) The responsibilities described in clause
8 (ii) of subparagraph (A) shall include respon-
9 sibilities for engagement with—

10 (i) veterans participating in such pro-
11 gram;

12 (ii) veterans interested in partici-
13 pating in such program; and

14 (iii) providers described in section
15 1720L(b)(2) (as added by subsection (a)).

16 (2) STAFFING MODEL; REPORT.—Not later
17 than two years after enactment of this Act, the Sec-
18 retary of Veterans Affairs shall—

19 (A) establish a staffing model for the ad-
20 ministration of such program at each medical
21 facility of the Department of Veterans Affairs;
22 and

23 (B) submit to the Committees on Veterans'
24 Affairs of the House of Representatives and the
25 Senate a report containing the following:

- 1 (i) A description of—
2 (I) the staffing model described
3 in subparagraph (A); and
4 (II) the rationale for such staff-
5 ing model.
- 6 (ii) An identification of the ratio of
7 staff required to administer such program
8 to the number of veterans served by such
9 program, disaggregated by each medical
10 facility of the Department of Veterans Af-
11 fairs.
- 12 (iii) A description of budgetary re-
13 sources or other support, if any, required
14 to accommodate an increase in staffing at
15 medical facilities of the Department of
16 Veterans Affairs pursuant to the require-
17 ments of the staffing model described in
18 subparagraph (A).
- 19 (iv) Such other matters as the Sec-
20 retary of Veterans Affairs determines ap-
21 propriate.

22 **SEC. 124. COORDINATION WITH ASSISTANCE AND SUPPORT**
23 **SERVICES FOR CAREGIVERS.**

24 (a) COORDINATION WITH PROGRAM OF COMPREHEN-
25 SIVE ASSISTANCE FOR FAMILY CAREGIVERS.—

1 (1) COORDINATION.—Section 1720G(a) of title
2 38, United States Code, is amended by adding at
3 the end the following new paragraph:

4 “(14)(A) In the case of a veteran or caregiver who
5 seeks services under this subsection and is denied such
6 services, or a veteran or the family caregiver of a veteran
7 who is discharged from the program under this subsection,
8 the Secretary shall—

9 “(i) if the veteran meets the requirements of a
10 covered veteran under subsection (b), provide to
11 such caregiver the option of enrolling in the program
12 of general caregiver support services under such sub-
13 section;

14 “(ii) assess the veteran or caregiver for partici-
15 pation in any other available program of the Depart-
16 ment for home- and community-based services (in-
17 cluding the programs specified in section 1720L of
18 this title) for which the veteran or caregiver may be
19 eligible and, with respect to the veteran, store (and
20 make accessible to the veteran) the results of such
21 assessment in the electronic medical record of the
22 veteran; and

23 “(iii) provide to the veteran or caregiver written
24 information on any such program identified pursu-
25 ant to the assessment under clause (ii), including in-

1 formation about facilities, eligibility requirements,
2 and relevant contact information for each such pro-
3 gram.

4 “(B) The Secretary shall, to the extent practicable,
5 provide to a veteran or family caregiver the option of ob-
6 taining clinically appropriate services under any other
7 available program of the Department for home- and com-
8 munity-based services (including the programs specified in
9 section 1720L of this title) for which the veteran or family
10 caregiver may be eligible prior to discharging the veteran
11 or family caregiver from the program under this sub-
12 section.

13 “(C) For each veteran or family caregiver who is dis-
14 charged from the program under this subsection, a care-
15 giver support coordinator shall provide for a smooth and
16 personalized transition from such program to an appro-
17 priate program of the Department for home- and commu-
18 nity-based services (including the programs specified in
19 section 1720L of this title), including by integrating care-
20 giver support across programs.”.

21 (2) APPLICABILITY.—The amendments made
22 by paragraph (1) shall apply with respect to denials
23 and discharges occurring on or after the date that
24 is 180 days after the date of the enactment of this
25 Act.

1 (3) TECHNICAL AND CONFORMING AMEND-
2 MENTS.—Section 1720G(d) of such title is amend-
3 ed—

4 (A) by striking “or a covered veteran”
5 each place it appears and inserting “, a veteran
6 denied or discharged as specified in paragraph
7 (14) of such subsection, or a covered veteran”;
8 and

9 (B) by striking “under subsection (a),
10 means” each place it appears and inserting
11 “under subsection (a) or a veteran denied or
12 discharged as specified in paragraph (14) of
13 such subsection, means”.

14 (b) CONFORMITY OF RESPITE CARE ACROSS PRO-
15 GRAMS.—Section 1720G of title 38, United States Code,
16 as amended by subsection (a)(3), is further amended—

17 (1) in subsection (a)(3)—

18 (A) by amending subparagraph (A)(ii)(III)
19 to read as follows:

20 “(III) covered respite care of not less than
21 30 days annually;” and

22 (B) by striking subparagraph (B) and re-
23 designating subparagraphs (C) and (D) as sub-
24 paragraphs (B) through (C), respectively; and

1 (2) by amending subsection (b)(3)(A)(iii) to
2 read as follows:

3 “(iii) Covered respite care of not less than 30
4 days annually.”; and

5 (3) in subsection (d)—

6 (A) by redesignating paragraphs (2)
7 through (4) as paragraphs (3) through (5), re-
8 spectively; and

9 (B) by inserting after paragraph (1) the
10 following new paragraph:

11 “(2) The term ‘covered respite care’ means,
12 with respect to a caregiver of a veteran, respite care
13 under section 1720B of this title that—

14 “(A) is medically and age appropriate for
15 the veteran (including 24-hour per day care of
16 the veteran commensurate with the care pro-
17 vided by the caregiver); and

18 “(B) includes in-home care.”.

19 (c) REVIEW RELATING TO CAREGIVER CONTACT.—

20 The Secretary shall conduct a review of the capacity of
21 the Department to establish a streamlined system for con-
22 tacting all caregivers enrolled in the program of general
23 caregiver support services under section 1720G(b) of title
24 38, United States Code, to provide to such caregivers pro-
25 gram updates and alerts relating to emerging services for

1 which such caregivers or the veterans for which they pro-
2 vide care may be eligible.

3 **SEC. 125. IMPROVEMENTS TO PROGRAM OF COMPREHEN-**
4 **SIVE ASSISTANCE FOR FAMILY CAREGIVERS.**

5 Section 1720G(a) of title 38, United States Code, as
6 amended by section 124, is further amended—

7 (1) in paragraph (12)—

8 (A) in subparagraph (A), by inserting “,
9 which shall include all criteria used to deter-
10 mine eligibility for such assistance and, in the
11 case of a completed evaluation, how such cri-
12 teria were used to evaluate information pro-
13 vided in assessments to determine such eligi-
14 bility” before the period at the end; and

15 (B) in subparagraph (C)(i), by striking
16 “who submits” and all that follows through the
17 end of the clause and inserting the following:
18 “who—

19 “(I) submits an application for the pro-
20 gram established under paragraph (1); or

21 “(II) is being reassessed for eligibility to
22 continue in such program.”; and

23 (2) by adding at the end the following new
24 paragraph:

1 “(15)(A) Not less frequently than annually, the Sec-
2 retary shall submit to the Committees on Veterans’ Affairs
3 of the Senate and the House of Representatives a com-
4 prehensive report on the program required by paragraph
5 (1) that includes, with respect to one-year period pre-
6 ceding the date of the submission of such report, the fol-
7 lowing:

8 “(i) The number of applications received for
9 such program.

10 “(ii) The number, disaggregated by race, sex,
11 and era and branch of service in the Armed Forces
12 of the applicant, of—

13 “(I) approvals of such applications; and

14 “(II) denials of such applications.

15 “(iii) The number of reassessments conducted
16 for such program.

17 “(iv) An identification of each decision made
18 with respect to a reassessment conducted for such
19 program, disaggregated by decisions resulting in—

20 “(I) disenrollment, including removal, dis-
21 charge, or voluntary withdrawal;

22 “(II) tier reduction; and

23 “(III) tier continuation.

1 “(v) The number of appeals of decisions made
2 with respect to such program, disaggregated by type
3 of appeal.

4 “(vi) With respect to each appeal described in
5 clause (v), the decision rendered, if any.

6 “(vii) A description of all tools used in assess-
7 ments conducted for such program, including an ex-
8 planation of how and by whom such tools are admin-
9 istered.

10 “(viii) A description of procedures used under
11 such program for reviewing and integrating clinical
12 records from health care providers that includes an
13 explanation of how such records are used in deter-
14 minations of eligibility for such program.

15 “(ix) A description of procedures available
16 under such program for health care providers to
17 communicate medical opinions to the teams con-
18 ducting assessments to determine eligibility for such
19 program, including health care providers in the pri-
20 vate sector and health care providers specified in
21 subsection (c) of section 1703 of this title.

22 “(x) A description of information technology
23 systems and processes used under such program to
24 upload and integrate all clinical records from all
25 non-Department providers, including providers in

1 the private sector and providers under the Veterans
2 Community Care Program established under such
3 section.

4 “(B) The Secretary shall ensure that all data in-
5 cluded in a report under subparagraph (A)—

6 “(i) relating to a decision made under the pro-
7 gram required by paragraph (1), are disaggregated
8 by the specific reason for the decision;

9 “(ii) relating to a veteran, include comprehen-
10 sive demographic information of the veteran, includ-
11 ing the time period of the injuries, if any, of the vet-
12 eran and the Veterans Integrated Service Network
13 in which the veteran is located; and

14 “(iii) with respect to eligibility determinations
15 relating to a serious injury of a veteran, specify—

16 “(I) how many such determinations relate
17 to the ability of the veteran to perform activi-
18 ties of daily living; and

19 “(II) how many such determinations relate
20 to the need of a veteran for supervision and
21 protection.

22 “(C) The Secretary shall provide the data under
23 paragraph (B) pursuant to Federal laws and in a manner
24 that is wholly consistent with applicable Federal privacy
25 and confidentiality laws, including but the Privacy Act (5

1 U.S.C. 552a), the Health Insurance Portability and Ac-
2 countability Act (Public Law 104–191; 42 U.S.C. 201
3 note) and regulations (title 45, Code of Federal Regula-
4 tions, parts 160 and 164, or successor regulations), and
5 sections 5701, 5705, and 7332 of this title to ensure that
6 the provided data, or some portion of the data, will not
7 undermine the anonymity of a veteran.”.

8 **SEC. 126. IMPROVEMENTS RELATING TO HOMEMAKER AND**
9 **HOME HEALTH AIDE PROGRAM.**

10 (a) PILOT PROGRAM FOR COMMUNITIES WITH
11 SHORTAGE OF HOME HEALTH AIDES.—

12 (1) PROGRAM.—Beginning not later than 18
13 months after the date of the enactment of this Act,
14 the Secretary shall carry out a three-year pilot pro-
15 gram under which the Secretary shall provide home-
16 maker and home health aide services to veterans
17 who reside in communities with a shortage of home
18 health aides.

19 (2) LOCATIONS.—The Secretary shall select not
20 fewer than five geographic locations in which the
21 Secretary determines there is a shortage of home
22 health aides at which to carry out the pilot program
23 under paragraph (1).

24 (3) NURSING ASSISTANTS.—

1 (A) IN GENERAL.—In carrying out the
2 pilot program under paragraph (1), the Sec-
3 retary may hire nursing assistants as new em-
4 ployees of the Department of Veterans Affairs,
5 or reassign nursing assistants who are existing
6 employees of the Department, to provide to vet-
7 erans in-home care services (including basic
8 tasks authorized by the State certification of
9 the nursing assistant) under the pilot program,
10 in lieu of or in addition to the provision of such
11 services through non-Department home health
12 aides.

13 (B) RELATIONSHIP TO HOME-BASED PRI-
14 MARY CARE PROGRAM.—Nursing assistants
15 hired or reassigned under subparagraph (A)
16 may provide services to a veteran under the
17 pilot program under paragraph (1) while serv-
18 ing as part of a health care team for the vet-
19 eran under the Home-Based Primary Care pro-
20 gram.

21 (4) REPORT TO CONGRESS.—Not later than one
22 year before the date of the termination of the pilot
23 program under paragraph (1), the Secretary shall
24 submit to the Committees on Veterans' Affairs of

1 the House of Representatives and the Senate a re-
2 port that includes—

3 (A) a statement of the results of such pilot
4 program; and

5 (B) an assessment of the feasibility and
6 advisability of—

7 (i) extending such pilot program; or

8 (ii) making such pilot program a per-
9 manent program of the Department of
10 Veterans Affairs.

11 (b) REPORT ON USE OF FUNDS.—Not later than one
12 year after the date of the enactment of this Act, the Sec-
13 retary of Veterans Affairs shall submit to the Committees
14 on Veterans' Affairs of the House of Representatives and
15 the Senate a report containing, with respect to the period
16 beginning in fiscal year 2012 and ending in fiscal year
17 2023, the following:

18 (1) An identification of the amount of funds
19 that were included in a budget of the Department of
20 Veterans Affairs during such period for the provision
21 of in-home care to veterans under the Homemaker
22 and Home Health Aide program but were not ex-
23 pended for such provision, disaggregated by medical
24 center of the Department for which such unex-

1 pending funds were budgeted (if such disaggregation
2 is possible).

3 (2) To the extent practicable, an identification
4 of the number of veterans for whom, during such pe-
5 riod, the hours during which a home health aide was
6 authorized to provide services to the veteran under
7 the Homemaker and Home Health Aide program
8 were reduced for a reason other than a change in
9 the health care needs of the veteran, and a detailed
10 description of the reasons why any such reductions
11 may have occurred.

12 (c) UPDATED GUIDANCE ON PROGRAM.—Not later
13 than one year after the date of the enactment of this Act,
14 the Secretary shall issue updated guidance for the Home-
15 maker and Home Health Aide program. Such updated
16 guidance shall include the following:

17 (1) A process for the transition of veterans
18 from the Homemaker and Home Health Aide pro-
19 gram to other covered programs.

20 (2) A requirement for the directors of the med-
21 ical facilities of the Department to complete such
22 process whenever a veteran with care needs has been
23 denied services from home health agencies under the
24 Homemaker and Home Health Aide program as a

1 result of the clinical needs or behavioral issues of the
2 veteran.

3 **SEC. 127. PILOT PROGRAM TO FURNISH ASSISTED LIVING**
4 **SERVICES TO CERTAIN VETERANS.**

5 (a) ESTABLISHMENT.—Beginning not later than two
6 years after the date of the enactment of this Act, the Sec-
7 retary of Veterans Affairs shall carry out a pilot program
8 to assess—

9 (1) the effectiveness of providing assisted living
10 services to eligible veterans, at the election of such
11 veterans; and

12 (2) the satisfaction with the pilot program of
13 veterans participating in such pilot program.

14 (b) PROGRAM LOCATIONS.—

15 (1) VETERANS INTEGRATED SERVICE NET-
16 WORKS.—The Secretary shall select two Veterans
17 Integrated Service Networks of the Department of
18 Veterans Affairs at which to carry out the pilot pro-
19 gram under subsection (a).

20 (2) FACILITIES.—

21 (A) IN GENERAL.—Within the Veterans
22 Integrated Service Networks selected under
23 paragraph (1), the Secretary shall select facili-
24 ties at which to carry out the pilot program
25 under subsection (a)(1).

1 (B) SELECTION CRITERIA.—In selecting
2 facilities under subparagraph (A) at which to
3 carry out the pilot program under subsection
4 (a)(1), the Secretary shall ensure that—

5 (i) the locations of such facilities are
6 in geographically diverse areas;

7 (ii) not fewer than one such facility
8 serves veterans in rural or highly rural
9 areas (as determined through the use of
10 the Rural-Urban Commuting Areas coding
11 system of the Department of Agriculture);

12 (iii) not fewer than one such facility is
13 located in each Veterans Integrated Service
14 Network selected under paragraph (1); and

15 (iv) not fewer than one such facility is
16 a State home.

17 (c) PROGRAM PARTICIPANTS.—Not more than 60 eli-
18 gible veterans may participate in the pilot program under
19 subsection (a)(1) in each Veterans Integrated Service Net-
20 work selected under subsection (b)(1).

21 (d) PROVISION OF ASSISTED LIVING SERVICES.—

22 (1) AGREEMENTS.—In carrying out the pilot
23 program under subsection (a)(1), the Secretary may
24 enter into agreements for the provision of assisted
25 living services on behalf of eligible veterans with—

1 (A) a provider participating under a State
2 plan or waiver under title XIX of the Social Se-
3 curity Act (42 U.S.C. 1396 et seq.); or

4 (B) a State home recognized and certified
5 under subpart B of part 51 of title 38, Code of
6 Federal Regulations, or successor regulations.

7 (2) STANDARDS.—The Secretary may not place,
8 transfer, or admit a veteran to any facility for as-
9 sisted living services under the pilot program under
10 subsection (a)(1) unless the Secretary determines
11 that—

12 (A) the facility meets the standards for
13 community residential care established under
14 sections 17.61 through 17.72 of title 38, Code
15 of Federal Regulations, or successor regula-
16 tions, and any additional standards of care as
17 the Secretary may specify; or

18 (B) in the case of a facility that is a State
19 home, the State home meets such standards of
20 care as the Secretary may specify.

21 (3) INSPECTION.—The Secretary shall inspect
22 facilities at which veterans are placed under the pilot
23 program under subsection (a)(1)—

24 (A) with respect to a facility that is a
25 State home, not less frequently than annually

1 and in the same manner as the Secretary con-
2 ducts inspection of State homes under section
3 1742 of title 38, United States Code; and

4 (B) with respect to any other facility, not
5 less frequently than annually and in the same
6 manner as the Secretary conducts inspection of
7 facilities under section 1730 of such title.

8 (4) PAYMENT TO CERTAIN FACILITIES.—

9 (A) STATE HOMES.—In the case of a facil-
10 ity participating in the pilot program under
11 subsection (a)(1) that is a State home, the Sec-
12 retary shall pay to the State home a per diem
13 for each veteran participating in the pilot pro-
14 gram at a rate agreed to by the Secretary and
15 the State home.

16 (B) COMMUNITY ASSISTED LIVING FACILI-
17 TIES.—In the case of a facility participating in
18 the pilot program under subsection (a)(1) that
19 is a community assisted living facility, the Sec-
20 retary shall—

21 (i) pay to the facility an amount that
22 is less than the average rate paid by the
23 Department for placement in a community
24 nursing home in the same Veterans Inte-
25 grated Service Network; and

1 (ii) re-evaluate payment rates annu-
2 ally to account for current economic condi-
3 tions and current costs of assisted living
4 services.

5 (e) CONTINUITY OF CARE.—Upon the termination of
6 the pilot program under subsection (a)(1), the Secretary
7 shall—

8 (1) provide to all veterans participating in the
9 pilot program at the time of such termination the
10 option to continue to receive assisted living services
11 at the site they were assigned to under the pilot pro-
12 gram, at the expense of the Department; and

13 (2) for such veterans who do not opt to con-
14 tinue to receive such services—

15 (A) ensure such veterans do not experience
16 lapses in care; and

17 (B) provide such veterans with information
18 on, and furnish such veterans with, other ex-
19 tended care services based on their preferences
20 and best medical interest.

21 (f) DETERMINATION OF QUALITY.—The Secretary
22 shall determine a method for assessment of quality of care
23 provided to veterans participating in the pilot program
24 under subsection (a)(1) and shall communicate that meth-
25 od to providers of services under the pilot program.

1 (g) ANNUAL REPORT.—Not later than one year after
2 the initiation of the pilot program under subsection (a)(1),
3 and annually thereafter for the duration of such pilot pro-
4 gram, the Secretary shall submit to the Committees on
5 Veterans' Affairs of the House of Representatives and the
6 Senate a report on the pilot program that includes—

7 (1) an identification of Veterans Integrated
8 Services Networks and facilities of the Department
9 participating in the pilot program and assisted living
10 facilities and State homes at which veterans are
11 placed under the pilot program;

12 (2) the number of participants in the pilot pro-
13 gram, disaggregated by facility;

14 (3) general demographic information of partici-
15 pants in the pilot program, including average age,
16 sex, and race or ethnicity;

17 (4) disability status of participants in the pilot
18 program;

19 (5) an identification of any barriers or chal-
20 lenges to furnishing care to veterans under the pilot
21 program, conducting oversight of the pilot program,
22 or any other barriers or challenges;

23 (6) the cost of care at each assisted living facil-
24 ity and State home participating in the pilot pro-
25 gram, including an analysis of any cost savings by

1 the Department when comparing that cost to the
2 cost of nursing home care;

3 (7) aggregated feedback from participants in
4 the pilot program, including from veteran resident
5 surveys and interviews; and

6 (8) such other matters the Secretary considers
7 appropriate.

8 (h) FINAL REPORT.—Not later than one year after
9 the pilot program terminates under subsection (j), the
10 Secretary shall submit to the Committees on Veterans' Af-
11 fairs of the House of Representatives and the Senate a
12 report on the pilot program that—

13 (1) includes the matters required under para-
14 graphs (1) through (8) of subsection (g);

15 (2) includes recommendations on whether the
16 model studied in the pilot program should be contin-
17 ued or adopted throughout the Department; and

18 (3) indicates whether the Secretary requests ac-
19 tion by Congress to make the pilot program perma-
20 nent.

21 (i) INSPECTOR GENERAL REPORT.—

22 (1) IN GENERAL.—Not later than three years
23 after the initiation of the pilot program under sub-
24 section (a)(1), the Inspector General of the Depart-
25 ment of Veterans Affairs shall submit to the Sec-

1 retary of Veterans Affairs and the Committees on
2 Veterans' Affairs of House of Representatives and
3 the Senate a report on the pilot program.

4 (2) ELEMENTS.—The report required by para-
5 graph (1) shall include an assessment of—

6 (A) the quality of care provided to veterans
7 at facilities participating in the pilot program,
8 measured pursuant to the method determined
9 under subsection (f);

10 (B) the oversight of such facilities, as con-
11 ducted by the Department, the Centers for
12 Medicare & Medicaid Services, State agencies,
13 and other relevant entities; and

14 (C) such other matters as the Inspector
15 General considers appropriate.

16 (3) PLAN REQUIRED.—Not later than 90 days
17 after the submission of the report under paragraph
18 (1), the Secretary shall submit to the Committees on
19 Veterans' Affairs of the House of Representatives
20 and the Senate a plan to address the deficiencies
21 identified in the report, if any.

22 (j) TERMINATION.—

23 (1) IN GENERAL.—Subject to paragraph (2),
24 the pilot program under subsection (a)(1) shall ter-
25 minate on September 30, 2026.

1 (2) EXTENSION.—The Secretary may extend
2 the duration of the pilot program for an additional
3 two-year period if the Secretary, based on the results
4 of the reports submitted under subsection (g), deter-
5 mines such an extension is appropriate.

6 (k) DEFINITIONS.—In this section:

7 (1) The term “assisted living services” means
8 services of a facility in providing room, board, and
9 personal care for and supervision of residents for
10 their health, safety, and welfare.

11 (2) The term “eligible veteran” means a vet-
12 eran who is—

13 (A) receiving nursing home care paid for
14 by the Department of Veterans Affairs, eligible
15 to receive such care pursuant to section 1710A
16 of title 38, United States Code, or requires a
17 higher level of care than the domiciliary care
18 provided by the Department of Veterans Af-
19 fairs, but does not meet the requirements for
20 nursing home level care provided by the Depart-
21 ment pursuant to such section; and

22 (B) eligible for assisted living services, as
23 determined by the Secretary or meets such ad-
24 ditional criteria for eligibility for the pilot pro-

1 gram under subsection (a)(1) as the Secretary
2 may establish.

3 (3) The term “State home” has the meaning
4 given that term in section 101 of title 38, United
5 States Code.

6 **SEC. 128. PROVISION OF MEDICINE, EQUIPMENT, AND SUP-**
7 **PLIES AVAILABLE TO DEPARTMENT OF VET-**
8 **ERANS AFFAIRS TO STATE HOMES.**

9 (a) PROVISION AUTHORIZED.—The Secretary of Vet-
10 erans Affairs may provide to State homes medicine, per-
11 sonal protective equipment, medical supplies, and any
12 other equipment, supplies, and assistance available to the
13 Department of Veterans Affairs.

14 (b) DEFINITION.—In this section:

15 (1) The term “personal protective equipment”
16 means any protective equipment required to prevent
17 the wearer from contracting an infectious disease,
18 including gloves, N-95 respirator masks, gowns,
19 goggles, face shields, or other equipment required
20 for safety.

21 (2) The term “State home” has the meaning
22 given such term in section 101 of title 38, United
23 States Code.

1 **SEC. 129. RECOGNITION OF ORGANIZATIONS AND INDIVID-**
2 **UALS TO ASSIST VETERANS, FAMILY MEM-**
3 **BERS, AND CAREGIVERS NAVIGATING PRO-**
4 **GRAMS AND SERVICES OF VETERANS**
5 **HEALTH ADMINISTRATION.**

6 (a) **IN GENERAL.**—Not later than one year after the
7 date of the enactment of this Act, the Secretary of Vet-
8 erans Affairs shall establish a process through which the
9 Department of Veterans Affairs may recognize organiza-
10 tions and individuals to assist a veteran, a family member
11 of a veteran, or a caregiver of a veteran (as defined in
12 section 1720G(d) of title 38, United States Code) in navi-
13 gating the programs and services of the Veterans Health
14 Administration.

15 (b) **SOLICITATION OF FEEDBACK.**—The Secretary
16 shall solicit feedback and recommendations in the creation
17 of the process under subsection (a) from such organiza-
18 tions as the Secretary may consider relevant.

19 (c) **LIMITATION.**—The Secretary may not recognize
20 an organization or individual pursuant to the process es-
21 tablished under subsection (a) unless the organization or
22 individual has certified to the Secretary that no fee or
23 compensation of any nature will be charged to any indi-
24 vidual for services rendered in providing assistance pursu-
25 ant to such subsection.

1 **SEC. 130. REVIEWS AND OTHER IMPROVEMENTS RELATING**
2 **TO HOME- AND COMMUNITY-BASED SERV-**
3 **ICES.**

4 (a) OFFICE OF GERIATRIC AND EXTENDED CARE.—

5 (1) REVIEW OF PROGRAMS.—The Under Sec-
6 retary for Health of the Department of Veterans Af-
7 fairs shall conduct a review of each program admin-
8 istered through the Office of Geriatric and Extended
9 Care of the Department and the Caregiver Support
10 Program Office of the Department, or any successor
11 offices, to—

12 (A) eliminate service gaps at the medical
13 center level; and

14 (B) ensure—

15 (i) the clinical needs of veterans are
16 met;

17 (ii) consistency in program manage-
18 ment;

19 (iii) the availability of, and the access
20 by veterans to, home- and community-
21 based services, including for veterans living
22 in rural areas; and

23 (iv) proper coordination between cov-
24 ered programs.

25 (2) ASSESSMENT OF STAFFING NEEDS.—The
26 Secretary of Veterans Affairs shall conduct an as-

1 assessment of the staffing needs of the Office of Geri-
2 atric and Extended Care of the Department and the
3 Caregiver Support Program Office of the Depart-
4 ment, or any successor offices.

5 (3) GOALS FOR GEOGRAPHIC ALIGNMENT OF
6 CARE.—

7 (A) ESTABLISHMENT OF GOALS.—The Di-
8 rector of the Office of Geriatric and Extended
9 Care, or successor office, shall establish quan-
10 titative goals to enable aging or disabled vet-
11 erans who are not located near medical centers
12 of the Department to access extended care serv-
13 ices (including by improving access to home-
14 and community-based services for such vet-
15 erans).

16 (B) IMPLEMENTATION TIMELINE.—Each
17 goal established under subparagraph (A) shall
18 include a timeline for the implementation of the
19 goal at each medical center of the Department.

20 (4) GOALS FOR IN-HOME SPECIALTY CARE.—
21 The Director of the Office of Geriatric and Extended
22 Care, or successor office, shall establish quantitative
23 goals to address the specialty care needs of veterans
24 through in-home care, including by ensuring the

1 education of home health aides and caregivers of vet-
2 erans in the following areas:

3 (A) Dementia care.

4 (B) Care for spinal cord injuries and dis-
5 eases.

6 (C) Ventilator care.

7 (D) Other speciality care areas as deter-
8 mined by the Secretary.

9 (5) INPUT ON GOALS.—To the extent prac-
10 ticable, the head of the Caregiver Support Program
11 Office, or successor office, shall provide to the Direc-
12 tor of the Office of Geriatric and Extended Care, or
13 successor office, input with respect to the establish-
14 ment of the goals under paragraphs (3) and (4).

15 (6) REPORT TO CONGRESS.—Not later than one
16 year after the date of the enactment of this Act, the
17 Secretary shall submit to the Committees on Vet-
18 erans' Affairs of the House of Representatives and
19 the Senate a report containing the findings of the
20 review under paragraph (1), the results of the as-
21 sessment under paragraph (2), and the goals estab-
22 lished under paragraphs (3) and (4).

23 (b) REVIEW OF INCENTIVES AND EFFORTS RELAT-
24 ING TO HOME- AND COMMUNITY-BASED SERVICES.—

1 (1) REVIEW.—The Secretary of Veterans Af-
2 fairs shall conduct a review of the following:

3 (A) The financial and organizational incen-
4 tives or disincentives for the directors of med-
5 ical centers of the Department to establish or
6 expand covered programs at such medical cen-
7 ters.

8 (B) Any incentives or disincentives for
9 such directors to provide to veterans home- and
10 community-based services in lieu of institutional
11 care.

12 (C) The efforts taken by the Secretary to
13 enhance spending of the Department for ex-
14 tended care by balancing spending between in-
15 stitutional care and home- and community-
16 based services consistent with the demand for
17 such services.

18 (D) The plan of the Under Secretary for
19 Health of the Department to accelerate efforts
20 to enhance spending as specified in subpara-
21 graph (C), to match the progress of similar ef-
22 forts taken by the Administrator of the Centers
23 for Medicare & Medicaid Services with respect
24 to spending of the Centers for Medicare & Med-
25 icaid Services for extended care.

1 (2) REPORT TO CONGRESS.—Not later than one
2 year after the date of the enactment of this Act, the
3 Secretary shall submit to the Committees on Vet-
4 erans' Affairs of the House of Representatives and
5 the Senate a report on the findings of the review
6 under paragraph (1).

7 (c) REVIEW OF RESPITE CARE SERVICES.—Not later
8 than two years after the date of the enactment of this Act,
9 the Secretary of Veterans Affairs shall conduct a review
10 of the use, availability, cost, and effectiveness, of the res-
11 pite care services furnished by the Secretary under chapter
12 17 of title 38, United States Code, including—

13 (1) the frequency at which the Department of
14 Veterans Affairs is unable to meet demand for such
15 services;

16 (2) a detailed description of—

17 (A) the reasons the Department of Vet-
18 erans Affairs is unable to meet the demand for
19 such services; and

20 (B) any actions, or planned actions, of the
21 Secretary of Veterans Affairs to ensure such
22 demand is met.

23 (d) COLLABORATION TO IMPROVE HOME- AND COM-
24 MUNITY-BASED SERVICES.—

25 (1) RECOMMENDATIONS.—

1 (A) DEVELOPMENT.—The Secretary of
2 Veterans Affairs shall develop recommendations
3 as follows:

4 (i) With respect to home- and commu-
5 nity-based services for veterans, the Sec-
6 retary of Veterans Affairs shall develop
7 recommendations regarding new services
8 (in addition to those furnished as of the
9 date of enactment of this Act) in collabora-
10 tion with the Secretary of Health and
11 Human Services.

12 (ii) With respect to the national short-
13 age of home health aides, the Secretary of
14 Veterans Affairs shall develop rec-
15 ommendations regarding methods to ad-
16 dress such shortage in collaboration with
17 the Secretary of Health and Human Serv-
18 ices and the Secretary of Labor.

19 (B) SUBMISSION TO CONGRESS.—The Sec-
20 retary of Veterans Affairs shall submit to the
21 Committees on Veterans' Affairs of the House
22 of Representatives and the Senate a report con-
23 taining the recommendations developed under
24 subparagraph (A) and an identification of any
25 changes in existing law or new statutory au-

1 thority necessary to implement the rec-
2 ommendations, as determined by the Secretary.

3 (C) CONSULTATION WITH SECRETARY OF
4 LABOR.—In carrying out this paragraph, the
5 Secretary of Veterans Affairs shall consult with
6 the Secretary of Labor.

7 (2) FEEDBACK AND RECOMMENDATIONS ON
8 CAREGIVER SUPPORT.—

9 (A) FEEDBACK AND RECOMMENDA-
10 TIONS.—The Secretary of Veterans Affairs shall
11 solicit from the entities described in subpara-
12 graph (B) feedback and recommendations re-
13 garding opportunities for the Secretary to en-
14 hance home- and community-based services for
15 veterans and the caregivers of veterans, includ-
16 ing through the potential provision by the entity
17 of care and respite services to veterans and
18 caregivers who may not be eligible for any pro-
19 gram under section 1720G of title 38, United
20 States Code, or section 1720L of such title (as
21 added by section 124), but have a need for as-
22 sistance.

23 (B) COVERED ENTITIES.—The entities de-
24 scribed in this subparagraph are veterans serv-
25 ice organizations and nonprofit organizations

1 with a focus on caregiver support or long term
2 care (as determined by the Secretary).

3 (3) COLLABORATION FOR CERTAIN VET-
4 ERANS.—The Secretary of Veterans Affairs shall col-
5 laborate with the Director of the Indian Health
6 Service and representatives from tribal health pro-
7 grams and Urban Indian organizations to ensure the
8 availability of home- and community-based services
9 for—

10 (A) Native American veterans, including
11 Native American veterans receiving health care
12 and medical services under multiple health care
13 systems; and

14 (B) Native Hawaiian veterans, including
15 Native Hawaiian veterans receiving health care
16 and medical services under the Native Hawaiian
17 health care system.

18 **SEC. 131. GAO REPORT ON MENTAL HEALTH SUPPORT FOR**
19 **CAREGIVERS.**

20 (a) REPORT REQUIRED.—Not later than one year
21 after the date of the enactment of this Act, the Comp-
22 troller General of the United States shall submit to the
23 Committee on Veterans' Affairs of the Senate and the
24 Committee on Veterans' Affairs of the House of Rep-

1 representatives a report on the provision of mental health
2 support to caregivers of veterans.

3 (b) CONTENTS.—The report submitted under sub-
4 section (a) shall include the following:

5 (1) An assessment of the need for mental
6 health support among caregivers participating in the
7 caregiver programs.

8 (2) An assessment of options for mental health
9 support in facilities of the Department of Veterans
10 Affairs and in the community for caregivers partici-
11 pating in the caregiver programs.

12 (3) An assessment of the availability and acces-
13 sibility of mental health support in facilities of the
14 Department and in the community for caregivers
15 participating in the caregiver programs.

16 (4) An assessment of the awareness among
17 caregivers of the availability of mental health sup-
18 port in facilities of the Department and in the com-
19 munity for caregivers participating in the caregiver
20 programs.

21 (5) An assessment of barriers to mental health
22 support in facilities of the Department and in the
23 community for caregivers participating in the care-
24 giver programs.

25 (c) DEFINITIONS.—In this section:

1 (1) The term “caregiver” has the meaning
2 given that term in section 1720G of title 38, United
3 States Code.

4 (2) The term “caregiver programs” means—

5 (A) the program of comprehensive assist-
6 ance for family caregivers under subsection (a)
7 of section 1720G of title 38, United States
8 Code; and

9 (B) the program of support services for
10 caregivers under subsection (b) of such section.

11 **SEC. 132. DEVELOPMENT OF CENTRALIZED WEBSITE FOR**
12 **PROGRAM INFORMATION.**

13 (a) **CENTRALIZED WEBSITE.**—The Secretary shall
14 develop and maintain a centralized and publically acces-
15 sible internet website of the Department as a clearing-
16 house for information and resources relating to covered
17 programs.

18 (b) **CONTENTS.**—The website under subsection (a)
19 shall contain the following:

20 (1) A description of each covered program.

21 (2) An informational assessment tool that—

22 (A) explains the administrative eligibility,
23 if applicable, of a veteran, or a caregiver of a
24 veteran, for any covered program; and

1 (B) provides information, as a result of
2 such explanation, on any covered program for
3 which the veteran or caregiver (as the case may
4 be) may be eligible.

5 (3) A list of required procedures for the direc-
6 tors of the medical facilities of the Department to
7 follow in determining the eligibility and suitability of
8 veterans for participation in a covered program, in-
9 cluding procedures applicable to instances in which
10 the resource constraints of a facility (or of a commu-
11 nity in which a facility is located) may result in the
12 inability to address the health needs of a veteran
13 under a covered program in a timely manner.

14 (c) UPDATES.—The Secretary shall ensure the
15 website under subsection (a) is updated on a periodic
16 basis.

17 **SEC. 133. DEFINITIONS.**

18 In this title:

19 (1) The terms “caregiver” and “family care-
20 giver” have the meanings given those terms under
21 section 1720L(h) of title 38, United States Code (as
22 added by section 123).

23 (2) The term “covered program”—

1 (A) means any program of the Department
2 of Veterans Affairs for home- and community-
3 based services; and

4 (B) includes the programs specified in sec-
5 tion 1720L of title 38, United States Code (as
6 added by section 123).

7 (3) The term “home- and community-based
8 services”—

9 (A) means the services referred to in sec-
10 tion 1701(6)(E) of title 38, United States Code;
11 and

12 (B) includes services furnished under a
13 program specified in section 1720L of such title
14 (as added by section 123).

15 (4) The terms “Home-Based Primary Care pro-
16 gram”, “Homemaker and Home Health Aide pro-
17 gram”, and “Veteran-Directed Care program” mean
18 the programs of the Department of Veterans Affairs
19 specified in subsection (d), (c), and (b) of such sec-
20 tion 1720L, respectively.

21 (5) The terms “home health aide”, “Native
22 American”, “Native American veteran”, “tribal
23 health programs”, and “Urban Indian organiza-
24 tions” have the meanings given those terms in sub-
25 section (h) of such section 1720L.

1 (6) The term “Vet Center” has the meaning
2 given that term in section 1712A(h) of title 38,
3 United States Code.

4 (7) The term “veterans service organization”
5 means any organization recognized by the Secretary
6 under section 5902 of such title.

7 **Subtitle C—Medical Treatment and** 8 **Other Matters**

9 **SEC. 140. QUARTERLY REPORT ON REFERRALS FOR NON-** 10 **DEPARTMENT OF VETERANS AFFAIRS** 11 **HEALTH CARE.**

12 Subchapter I of chapter 5 of title 38, United States
13 Code, is amended by adding at the end the following new
14 section (and amending the table of sections at the begin-
15 ning of such chapter accordingly):

16 **“§ 534. Quarterly report on referrals for non-Depart-** 17 **ment health care**

18 “Not later than 180 days after the date of the enact-
19 ment of this section, and not less frequently than quarterly
20 thereafter, the Secretary shall submit to the Committees
21 on Veterans’ Affairs of the Senate and the House of Rep-
22 resentatives a report containing, with respect to referrals
23 for non-Department health care originating from a med-
24 ical facility of the Department during the quarter pre-

1 ceding the date of the submission of the report, a measure-
2 ment of, for each such medical facility—

3 “(1) the period of time between—

4 “(A) the date on which a clinician em-
5 ployed by the Department determines that a
6 veteran requires care, or a veteran presents to
7 the Department requesting care, and the date
8 on which the referral for care is sent to a non-
9 Department health care provider;

10 “(B) the date on which such referral is
11 sent to a non-Department health care provider
12 and the date on which such non-Department
13 health care provider accepts such referral;

14 “(C) the date on which such non-Depart-
15 ment health care provider accepts such referral
16 and the date on which such referral is com-
17 pleted;

18 “(D) the date on which such referral is
19 completed and the date on which an appoint-
20 ment with a non-Department health care pro-
21 vider is made; and

22 “(E) the date on which such an appoint-
23 ment is made and the date on which such ap-
24 pointment occurs; and

1 “(2) any other period of time that the Secretary
2 determines necessary.”.

3 **SEC. 141. ELIMINATION OF CERTAIN REQUIREMENTS FOR**
4 **CERTAIN DEPARTMENT OF VETERANS AF-**
5 **FAIRS ASSISTANT UNDER SECRETARIES.**

6 Section 7306 of title 38, United States Code, is
7 amended—

8 (1) by striking subsection (b);

9 (2) by redesignating subsections (c) through (g)
10 as subsections (b) through (f), respectively; and

11 (3) in subsection (c) (as so redesignated), by
12 striking “subsection (e)” and inserting “subsection
13 (f)”.

14 **SEC. 142. MODIFICATION OF PAY LIMITATION FOR PHYSI-**
15 **CIANS, PODIATRISTS, OPTOMETRISTS, AND**
16 **DENTISTS OF DEPARTMENT OF VETERANS**
17 **AFFAIRS.**

18 (a) PAY.—

19 (1) IN GENERAL.—Section 7431 of title 38,
20 United States Code, is amended—

21 (A) by inserting “optometrists,” after “po-
22 diatrists,” each place it appears;

23 (B) by inserting “optometrist” after “podi-
24 atrist,” each place it appears;

25 (C) in subsection (c)—

1 (i) in paragraph (5), by adding at the
2 end the following new sentence: “Such a
3 notice shall include a statement of whether
4 the market pay will increase, decrease, or
5 remain unchanged following such evalua-
6 tion.”; and

7 (ii) by adding at the end the following
8 new paragraphs:

9 “(7) The Secretary shall ensure that each phy-
10 sician, podiatrist, optometrist, and dentist in the
11 Veterans Health Administration is—

12 “(A) advised, on an annual basis, of the
13 criteria described in subparagraph (F) of para-
14 graph (4);

15 “(B) evaluated in accordance with such
16 criteria; and

17 “(C) compensated in accordance with—

18 “(i) applicable assignment and pay
19 levels, subject to relevant pay limitations;
20 and

21 “(ii) the extent to which such criteria
22 is met.

23 “(8) Not later than 120 days after the end of
24 each fiscal year, the Secretary shall submit to the
25 Committees on Veterans’ Affairs of the Senate and

1 the House of Representatives a report that includes
2 the following:

3 “(A) A list of each facility and specialty
4 that conducted an evaluation of pay during the
5 period covered by the report.

6 “(B) For each evaluation described in sub-
7 paragraph (A)—

8 “(i) a list of occupations for which
9 pay was evaluated, disaggregated by med-
10 ical specialty, number of authorized full-
11 time employees, and onsite full-time em-
12 ployees as of the date of the evaluation;

13 “(ii) the date such evaluation was
14 completed;

15 “(iii) whether a market pay adjust-
16 ment was made following the evaluation
17 per each occupation and specialty evalu-
18 ated;

19 “(iv) whether applicable employees
20 were notified of such evaluation;

21 “(v) whether local labor partners were
22 notified of such evaluation; and

23 “(vi) in the case of an evaluation that
24 resulted in an adjustment of pay—

25 “(I) the date such adjustment—

1 “(aa) was implemented; and

2 “(bb) became effective; and

3 “(II) the percentage of employees
4 of each occupation and specialty for
5 which pay was adjusted pursuant to
6 such evaluation.

7 “(C) A list of facilities of the Department
8 that have not conducted an evaluation of mar-
9 ket pay, pursuant to paragraph (5), during the
10 18-month-period that precedes the date of the
11 submission of such report.”;

12 (D) in subsection (e)—

13 (i) in paragraph (1)(A), by inserting
14 “optometrists,” after “podiatrists,”; and

15 (ii) by adding at the end the following
16 new paragraphs:

17 “(5) Notwithstanding any compensation or pay
18 limitations under this title or title 5, the Secretary
19 may authorize the Under Secretary for Health to
20 pay physicians, podiatrists, optometrists and den-
21 tists—

22 “(A) awards authorized under this title;

23 “(B) advance payments, recruitment or re-
24 location bonuses, and retention allowances au-

1 thorized under section 7410(a) of this title or
2 as otherwise provided by law;

3 “(C) incentives or bonuses under section
4 706 of this title or as otherwise provided by
5 law; and

6 “(D) earnings from fee-basis appointments
7 under section 7405(a)(2) of this title.

8 “(6)(A) The Secretary may waive any pay limi-
9 tation described in this section (including tier limita-
10 tions) that the Secretary determines necessary for
11 the recruitment or retention of critical health care
12 personnel whom the Secretary determines would pro-
13 vide direct patient care.

14 “(B) Priority for such waivers shall be given for
15 positions, locations, and care provided through con-
16 tracts at a high cost to the Department.

17 “(C) The Chief Human Capital Officer of the
18 Department, the Chief Financial Officer of the De-
19 partment, and the Office of the General Counsel of
20 the Department shall review any waiver issued under
21 subparagraph (A).

22 “(D) During the period the authority under
23 subparagraph (A) is effective, the Secretary may not
24 issue more than 300 waivers under such subpara-
25 graph.

1 “(E) The Secretary may prescribe require-
2 ments, limitations, and other considerations for
3 waivers under such subparagraph.

4 “(F) Not later than 180 days after the date of
5 the enactment of the Senator Elizabeth Dole 21st
6 Century Veterans Healthcare and Benefits Improve-
7 ment Act, and annually thereafter, the Secretary
8 shall submit to the Committees on Veterans’ Affairs
9 of the Senate and the House of Representatives a
10 report that includes—

11 “(i) any updates to the requirements, limi-
12 tations, and considerations prescribed under
13 subparagraph (B) during the period covered by
14 the report;

15 “(ii) a description of the findings of each
16 review, if any, conducted pursuant to subpara-
17 graph (C);

18 “(iii) a description of each waiver under
19 subparagraph (A) in effect as of the date of the
20 submission of the report, including the—

21 “(I) duty location, position, specialty,
22 market and performance considerations for
23 the waiver; and

1 “(II) impact, if any, of the waiver on
2 contracted care purchased by the Depart-
3 ment for the region; and

4 “(iv) a list of any separation actions dur-
5 ing the period covered by the report with re-
6 spect to a position for which a waiver under
7 subparagraph (A) is in effect.

8 “(G) The authority of the Secretary under sub-
9 paragraph (A) shall terminate on the last day of the
10 third full fiscal year following the date of the enact-
11 ment of the Senator Elizabeth Dole 21st Century
12 Veterans Healthcare and Benefits Improvement
13 Act.”.

14 (2) REPORT ON WAIVER AUTHORITY.—Not
15 later than 180 days after the date of the enactment
16 of this Act, the Secretary of Veterans Affairs shall
17 submit to the Committees on Veterans’ Affairs of
18 the Senate and the House of Representatives a re-
19 port that includes a description of the requirements,
20 limitations, and other considerations prescribed
21 under section 7431(b)(6)(D) of title 38, United
22 States Code, as added by paragraph (1).

23 (3) CONFORMING AMENDMENTS.—

24 (A) PAY OF UNDER SECRETARY FOR
25 HEALTH.—Section 7432(b)(1) of such title is

1 amended by inserting “, podiatrist, optom-
2 etrist,” after “physician”.

3 (B) ADMINISTRATIVE MATTERS.—Section
4 7433 of such title is amended by inserting “op-
5 tometrists,” after “physicians,” each place it
6 appears.

7 (C) COMPETITIVE PAY.—Section
8 7451(a)(2)(C) of such title is amended by in-
9 serting “optometrist,” after “physician,”.

10 (4) CLERICAL AMENDMENTS.—

11 (A) SUBCHAPTER HEADING.—Subchapter
12 III of chapter 74 of such title is amended in the
13 heading by inserting “**Optometrists,**” after
14 “PODIATRISTS,”.

15 (B) TABLE OF SECTIONS.—The table of
16 sections for such chapter is amended by strik-
17 ing the item relating to subchapter III and in-
18 serting the following:

“SUBCHAPTER III—PAY FOR PHYSICIANS AND OTHER HEALTH-CARE
PERSONNEL”.

19 (5) APPLICABILITY DATES.—The amendments
20 made by this subsection shall apply to any pay pe-
21 riod of the Department of Veterans Affairs begin-
22 ning on or after the date that is 180 days after the
23 date of the enactment of this Act.

1 (b) MODIFICATION AND CLARIFICATION OF PAY
2 GRADE FOR OPTOMETRISTS.—Section 7404 of title 38,
3 United States Code, is amended—

4 (1) in subsection (a)(2)(A), by striking “podia-
5 trists, and dentists” and inserting “podiatrists, op-
6 tometrists, and dentists”; and

7 (2) in subsection (b)—

8 (A) by striking “podiatrist (dpm), and den-
9 tist” and inserting “podiatrist (dpm), optom-
10 etrist (od), and dentist”;

11 (B) by striking “clinical chiropractor and
12 optometrist schedule,” and inserting “clinical
13 chiropractor schedule”; and

14 (C) by inserting “optometrist grade” after
15 “Podiatrist grade”.

16 (c) RETROACTIVE AUTHORITY FOR COMPENSA-
17 TION.—

18 (1) IN GENERAL.—The Secretary of Veterans
19 Affairs may pay retroactive compensation to a cov-
20 ered employee in an amount that equals the amount
21 of compensation that was authorized to be paid to
22 such covered employee during the period specified in
23 paragraph (2), but was deferred and paid to such
24 employee in the calendar year following the calender
25 year in which such compensation was authorized be-

1 cause the payment such compensation would have
2 exceeded an applicable cap on annual compensation.

3 (2) PERIOD SPECIFIED.—The period specified
4 in this paragraph is the period beginning on Janu-
5 ary 8, 2006, and ending on December 31, 2017.

6 (3) EXCLUSION.—Compensation authorized
7 under this subsection shall not be included in the
8 calculation of any aggregate limit on compensation
9 for a covered employee for the year in which it is
10 paid.

11 (4) CHARGING OF COMPENSATION.—Compensa-
12 tion authorized under this subsection shall be
13 charged to the appropriate medical care appropria-
14 tion account of the Department of Veterans Affairs
15 for the fiscal year in which the work was performed
16 except as follows:

17 (A) In the case of an account that has
18 closed pursuant to section 1552 of title 31,
19 United States Code, the compensation shall be
20 charged to a current appropriation account in
21 accordance with section 1553 of such title.

22 (B) In the case of an expired account that
23 has not closed, if charging the compensation to
24 the expired account would cause such account
25 to have a negative unliquidated or unexpended

1 balance, the compensation may be charged to a
2 current appropriation account available for the
3 same purpose.

4 (5) DEFINITIONS.—In this subsection:

5 (A) The term “compensation” means any
6 pay, including salary, awards, and incentives.

7 (B) The term “covered employee” means a
8 physician, podiatrist, or dentist subject to mar-
9 ket pay under section 7431 of title 38, United
10 States Code.

11 **SEC. 143. REIMBURSEMENT OF AMBULANCE COST FOR**
12 **CARE FOR CERTAIN RURAL VETERANS.**

13 (a) IN GENERAL.—The Secretary of Veterans Affairs
14 shall pay, or reimburse a covered veteran for, the cost of
15 transporting the veteran by ambulance, including air am-
16 bulance, from a covered location to a provider of the De-
17 partment of Veterans Affairs, a non-Department provider,
18 or the nearest hospital that can meet the needs of the vet-
19 eran (including a hospital that compacts with the Indian
20 Health Service) for covered care.

21 (b) AMOUNT COVERED.—The maximum cumulative
22 amount covered under this section for a covered veteran
23 is \$46,000.

24 (c) SUNSET.—This section shall cease to be effective
25 on September 30, 2026.

1 (d) DEFINITIONS.—In this section:

2 (1) The term “covered care” means care for a
3 veteran eligible for care provided by the Department
4 of Veterans Affairs under title 38, United States
5 Code, or any other law administered by the Sec-
6 retary of Veterans Affairs, even if the care associ-
7 ated with the transport described in subsection (a)
8 is not authorized by the Department.

9 (2) The term “covered location” means a loca-
10 tion that is—

11 (A) in a State that is 100 miles or more
12 from the nearest medical center of the Depart-
13 ment of Veterans Affairs; and

14 (B) in an area rated as a 10 or higher
15 under the rural-urban commuting areas coding
16 system of the Department of Agriculture.

17 (3) The term “covered veteran” means a vet-
18 eran who—

19 (A) has a service-connected disability rated
20 by the Secretary as between 0 and 30 percent
21 disabling;

22 (B) is not eligible for payments or reim-
23 bursements for beneficiary travel or other
24 transportation under the laws administered by

1 the Secretary of Veterans Affairs, other than
2 under this section; and

3 (C) is not entitled to care or services under
4 a non-Department of Veterans Affairs health-
5 plan contract.

6 (4) The term “health-plan contract” has the
7 meaning given that term in section 1725 of title 38,
8 United States Code.

9 (5) The term “service-connected” has the
10 meaning given that term in section 101 of such title.

11 **SEC. 144. PILOT PROGRAM TO FURNISH DENTAL CARE**
12 **FROM THE DEPARTMENT OF VETERANS AF-**
13 **FAIRS TO CERTAIN VETERANS DIAGNOSED**
14 **WITH ISCHEMIC HEART DISEASE.**

15 (a) IN GENERAL.—Beginning not later than one year
16 after the date of the enactment of this Act, the Secretary
17 of Veterans Affairs shall carry out a two-year pilot pro-
18 gram (in this section referred to as the “pilot program”)
19 under which the Secretary shall furnish covered care to
20 covered veterans through means that include the use of
21 community care.

22 (b) LOCATIONS.—

23 (1) IN GENERAL.—The Secretary shall select
24 not more than four States in which to carry out the
25 pilot program.

1 (2) SELECTION CRITERIA.—In selecting States
2 under paragraph (1), the Secretary shall prioritize
3 States in which—

4 (A) the Department of Veterans Affairs
5 serves a high proportion, as determined by the
6 Secretary, of veterans residing in rural or high-
7 ly rural areas (as determined through the use
8 of the Rural-Urban Commuting Areas coding
9 system of the Department of Agriculture);

10 (B) dental clinics operated by the Depart-
11 ment of Veterans Affairs currently utilize tele-
12 dentistry;

13 (C) the Department of Veterans Affairs
14 does not currently operate a dental clinic; or

15 (D) the Secretary determines a large per-
16 centage of veterans enrolled in the system of
17 annual patient enrollment of the Department of
18 Veterans Affairs established and operated under
19 paragraphs (1) or (2) of section 1705(a) of title
20 38, United States Code, visit emergency rooms
21 for dental emergencies at high rates.

22 (c) PARTICIPATION LIMITATION.—Participation in a
23 pilot program established pursuant to this section shall be
24 limited to a covered veteran who receives health care in

1 a facility of the Department located in a State selected
2 under subsection (b).

3 (d) USE OF CERTAIN METHODS TO PROVIDE
4 CARE.—

5 (1) MOBILE DENTAL CLINICS.—In carrying out
6 the pilot program, the Secretary shall test the effi-
7 cacy of mobile dental clinics to service rural areas
8 that do not have a population base to warrant a full-
9 time clinic but where there are covered veterans in
10 need of dental care.

11 (2) HOME-BASED DENTAL CARE.—In carrying
12 out the pilot program, the Secretary shall test the
13 efficacy of portable dental care units to service rural
14 veterans in their homes, as the Secretary considers
15 medically appropriate.

16 (e) ADMINISTRATION.—

17 (1) COMMUNITY CARE NETWORK REVIEW.—

18 (A) IN GENERAL.—Before commencing the
19 pilot program, the Secretary shall work with
20 third party administrators to conduct a review
21 of dental providers who are part of the commu-
22 nity care network of the Department in each
23 State selected under subsection (b)(1) to en-
24 sure—

1 (i) dental providers who are no longer
2 accepting patients from the Department—

3 (I) are not still listed as pro-
4 viders accepting referrals from the
5 Department; and

6 (II) are not sent referrals from
7 the Department; and

8 (ii) dental providers participating in
9 each such network are capable of receiving
10 an influx of patients from the Department
11 under the pilot program.

12 (B) EXPANSION OF NETWORK.—If, pursu-
13 ant to a review under subparagraph (A), the
14 Secretary determines the community care net-
15 work in a State selected under subsection (b)(1)
16 is not capable of receiving an influx of patients
17 under the pilot program, the Secretary shall co-
18 ordinate with the Third Party Administrator
19 for such State to ensure the dental provider
20 network of such community care network is suf-
21 ficiently expanded before the initiation of the
22 pilot program.

23 (2) NOTICE TO COVERED VETERANS.—In car-
24 rying out the pilot program, the Secretary shall in-
25 form all covered veterans in States selected under

1 subsection (b)(1) of the covered care available under
2 the pilot program.

3 (3) LOSS OF ELIGIBILITY.—Any veteran par-
4 ticipating in the pilot program who ceases to be a
5 covered veteran shall be removed from the pilot pro-
6 gram on the date that is 90 days after the Secretary
7 determines the participant is no longer a covered
8 veteran.

9 (4) CONTINUITY OF CARE.—

10 (A) IN GENERAL.—Upon the termination
11 of the pilot program, the Secretary shall provide
12 to all veterans participating in the pilot pro-
13 gram at the time of such termination—

14 (i) information on how to enroll in the
15 dental insurance plan of the Department of
16 Veterans Affairs under section 1712C of
17 title 38, United States Code;

18 (ii) if appropriate, information on the
19 VETSmile program of the Department of
20 Veterans Affairs, or any successor pro-
21 gram; or

22 (iii) contact information for dental
23 providers in the surrounding community
24 who provide low- or no-cost dental care

1 and whom the Secretary has confirmed are
2 available to take on new patients.

3 (B) CONTINUATION OF TREATMENT
4 PLAN.—Any veteran participating in the pilot
5 program may continue to receive services under
6 the pilot program after the termination of the
7 pilot program to complete a treatment plan
8 commenced under the pilot program, as deter-
9 mined necessary by the Secretary.

10 (f) REPORTS.—

11 (1) ANNUAL REPORT.—Not later than one year
12 after the commencement of the pilot program, and
13 annually thereafter for the duration of the pilot pro-
14 gram, the Secretary of Veterans Affairs shall submit
15 to the Committees on Veterans' Affairs of the House
16 of Representatives and the Senate a report on the
17 pilot program that includes—

18 (A) an identification of the States partici-
19 pating in the pilot program;

20 (B) a description of the implementation
21 and operation of the pilot program;

22 (C) the number of participants in the pilot
23 program, disaggregated by—

24 (i) State; and

25 (ii) disability rating;

1 (D) an identification of any barriers or
2 challenges to implementing the pilot program;

3 (E) aggregated feedback from participants
4 in the pilot program, including from interviews
5 and surveys;

6 (F) the average annual cost of providing
7 covered care to a participant in the pilot pro-
8 gram, disaggregated by—

9 (i) State;

10 (ii) disability rating; and

11 (iii) whether the care was provided
12 through the community care network or
13 through a provider of the Department;

14 (G) an analysis of the communication and
15 collaboration of the Department with Third
16 Party Administrators and community care den-
17 tal providers, disaggregated by State;

18 (H) an analysis of any cost savings by the
19 Department with respect to the treatment of
20 ischemic heart disease;

21 (I) an assessment of the impact of the
22 pilot program on appointments for care, pre-
23 scriptions, hospitalizations, emergency room vis-
24 its, wellness, employability, satisfaction, and
25 perceived quality of life of covered veterans re-

1 lated to their diagnosis of ischemic heart dis-
2 ease;

3 (J) an analysis and assessment of the effi-
4 cacy of mobile clinics and portable dental care
5 units, to the extent such modalities are used, to
6 service the needs of covered veterans under the
7 pilot program;

8 (K) an analysis and assessment of the
9 usage of teledentistry to service the needs of
10 covered veterans under the pilot program, to in-
11 clude a cost benefit analysis of such services;
12 and

13 (L) such other matters as the Secretary
14 considers appropriate.

15 (2) FINAL REPORT.—Not later than 90 days
16 before the completion of the pilot program, the Sec-
17 retary shall submit to the Committees on Veterans'
18 Affairs of the House of Representatives and the Sen-
19 ate a report on the pilot program that—

20 (A) includes the matters required under
21 paragraph (1);

22 (B) includes recommendations on whether
23 the pilot program should be continued, ex-
24 panded, or adopted throughout the Department;
25 and

1 (C) indicates whether the Secretary re-
2 quests action by Congress to make the pilot
3 program permanent.

4 (g) IMPACT ON COMMUNITY CARE.—Participants in
5 the pilot program shall be able to access covered care in
6 the community under section 1703 of title 38, United
7 States Code.

8 (h) DEFINITIONS.—In this section:

9 (1) The term “covered care” means dental care
10 that is consistent with the dental services and treat-
11 ment furnished by the Secretary of Veterans Affairs
12 to veterans pursuant to section 1712(a)(1)(G) of
13 title 38, United States Code.

14 (2) The term “covered veteran” means a vet-
15 eran who—

16 (A) is enrolled in the system of annual pa-
17 tient enrollment of the Department established
18 and operated under paragraphs (1) or (2) of
19 section 1705(a) of title 38, United States Code;

20 (B) is not eligible for dental services and
21 treatment and related dental appliances under
22 the laws administered by the Secretary as of
23 the date of the enactment of this Act; and

24 (C) has a diagnosis of ischemic heart dis-
25 ease.

1 (3) The term “Third Party Administrator” has
2 the meaning given such term in section 1703F of
3 such title.

4 **SEC. 145. DOCUMENTATION OF PREFERENCES OF VET-**
5 **ERANS FOR SCHEDULING OF APPOINTMENTS**
6 **FOR HEALTH CARE UNDER LAWS ADMINIS-**
7 **TERED BY SECRETARY OF VETERANS AF-**
8 **FAIRS.**

9 (a) **IN GENERAL.**—Not later than one year after the
10 date of the enactment of this Act, the Secretary of Vet-
11 erans Affairs shall develop a mechanism to solicit informa-
12 tion regarding the preference of veterans enrolled in the
13 system of annual patient enrollment of the Department
14 of Veterans Affairs established and operated under section
15 1705(a) of title 38, United States Code, for scheduling
16 of appointments for health care and related services under
17 the laws administered by the Secretary, including through
18 non-Department providers.

19 (b) **DOCUMENTATION OF PREFERENCE.**—Pref-
20 erences provided voluntarily by a veteran pursuant to sub-
21 section (a) shall be documented on My HealthVet or an-
22 other system designated by the Secretary that allows the
23 veteran to view and change such preferences at any time.

24 (c) **INCLUSION IN PREFERENCE.**—Preferences solic-
25 ited under subsection (a) shall include the following:

1 (1) How and when the veteran prefers to be
2 contacted about an appointment for health care.

3 (2) Whether the veteran prefers to schedule ap-
4 pointments without the assistance of the Depart-
5 ment, if able.

6 (3) Whether the veteran prefers to select a pro-
7 vider without the assistance of the Department, if
8 able.

9 (4) Whether the veteran prefers appointments
10 to be scheduled during certain days or times.

11 (d) USE OF PREFERENCE.—The Secretary shall
12 make the preferences provided under subsection (a) easily
13 accessible to medical support assistants and other staff of
14 the Department, or non-Department staff, as the Sec-
15 retary determines appropriate, who assist in the appoint-
16 ment scheduling process.

17 (e) DEPLOYMENT OF MECHANISM.—

18 (1) IN GENERAL.—Beginning after the date on
19 which the Secretary develops the mechanism re-
20 quired under subsection (a), the Secretary shall—

21 (A) test the mechanism in not fewer than
22 three geographically diverse Veterans Inte-
23 grated Service Networks; and

24 (B) gather feedback about the effectiveness
25 of such mechanism from veterans, medical sup-

1 port assistants, staff and other stakeholders as
2 the Secretary determines appropriate.

3 (2) LIMITATION.—The Secretary may not im-
4 plement such mechanism across the Veterans Health
5 Administration of the Department before the Sec-
6 retary addresses the feedback described in para-
7 graph (1)(B).

8 **SEC. 146. STAFFING MODEL AND PERFORMANCE METRICS**
9 **FOR CERTAIN EMPLOYEES OF THE DEPART-**
10 **MENT OF VETERANS AFFAIRS.**

11 (a) STAFFING MODEL.—

12 (1) IN GENERAL.—Not later than one year
13 after the date of the enactment of this Act, the Sec-
14 retary of Veterans Affairs shall—

15 (A) develop, validate, and implement a
16 staffing model for the Office of Integrated Vet-
17 eran Care of the Department of Veterans Af-
18 fairs, or successor office, Veterans Integrated
19 Services Networks, and medical centers of the
20 Department that includes appropriate target
21 staffing levels nationally, regionally, and locally
22 to ensure timely access to care and effectively
23 oversee the provision of care by the Depart-
24 ment, whether at a facility of the Department
25 or through a non-Department provider; and

1 (B) provide to Congress a briefing on such
2 staffing model, which shall include—

3 (i) the metrics and measures used by
4 the Secretary in developing such staffing
5 model;

6 (ii) an analysis of how such staffing
7 model compares to the staffing models of
8 other relevant Government-owned and pri-
9 vate sector health care systems; and

10 (iii) an estimate of the portion of the
11 roles in such staffing model that will be
12 filled by contracted staff at any given time.

13 (2) REPORT ON IMPLEMENTATION OF STAFF-
14 ING MODEL.—Not later than one year after the date
15 on which the Secretary implements the staffing
16 model required under paragraph (1), the Secretary
17 shall submit to Congress and the Comptroller Gen-
18 eral of the United States a report containing—

19 (A) an update on such implementation;
20 and

21 (B) information on the outcomes yielded
22 by such staffing model in terms of improved ac-
23 cess to care for veterans and improved compli-
24 ance with relevant laws, regulations, policy di-
25 rectives, and guidance governing access to care.

1 (b) PERFORMANCE METRICS.—

2 (1) IN GENERAL.—Not later than one year
3 after the date of the enactment of this Act, the Sec-
4 retary shall develop and implement a plan, with an
5 appropriate tracking system, to incorporate appro-
6 priate standardized performance metrics and over-
7 sight measures within the performance appraisal
8 systems for employees of the Department specified
9 in paragraph (2).

10 (2) EMPLOYEES OF THE DEPARTMENT SPECI-
11 FIED.—Employees of the Department specified in
12 this paragraph are employees who are responsible
13 for ensuring timely access to care from the Depart-
14 ment, compliance with relevant statutes and regula-
15 tions relating to the provision of care, including sec-
16 tion 1703 of title 38, United States Code, and over-
17 seeing the provision of care, whether at a facility of
18 the Department or through a non-Department pro-
19 vider, including employees within the Office of Inte-
20 grated Veteran Care of the Department, or suc-
21 cessor office, employees of a Veterans Integrated
22 Service Network, and employees of a medical center
23 of the Department.

24 (3) REPORT ON IMPLEMENTATION OF PER-
25 FORMANCE METRICS.—Not later than one year after

1 implementing the performance metrics required
2 under paragraph (1), the Secretary shall submit to
3 Congress and the Comptroller General of the United
4 States a report containing—

5 (A) an update on such implementation;

6 and

7 (B) information on the outcomes yielded
8 by such performance metrics in terms of im-
9 proved access to care for veterans and improved
10 compliance with relevant laws, policy directives,
11 and guidance governing access to care.

12 (c) GAO REPORT.—Not later than two years after
13 the later of the date on which the Comptroller General
14 receives the report under subsection (a)(2) or the report
15 under subsection (b)(3), the Comptroller General shall
16 submit to Congress a report that includes—

17 (1) an assessment of the performance of the Of-
18 fice of Integrated Veteran Care of the Department,
19 or successor office, in improving access to care for
20 veterans in facilities of the Department and pursu-
21 ant to section 1703 of title 38, United States Code;
22 and

23 (2) such recommendations as the Comptroller
24 General considers appropriate with respect to im-

1 proving access to the care described in paragraph
2 (1) for veterans.

3 **SEC. 147. ONLINE HEALTH EDUCATION PORTAL FOR VET-**
4 **ERANS ENROLLED IN PATIENT ENROLLMENT**
5 **SYSTEM OF DEPARTMENT OF VETERANS AF-**
6 **FAIRS.**

7 Not later than one year after the date of the enact-
8 ment of this Act, the Secretary of Veterans Affairs shall
9 establish, on an Internet website of the Department, a
10 health education portal that includes interactive edu-
11 cational modules to ensure veterans enrolled in the patient
12 enrollment system of the Department of Veterans Affairs
13 established and operated under section 1705(a) of title 38,
14 United States Code, understand the basic health care eli-
15 gibilities and entitlements of veterans under the laws ad-
16 ministered by the Secretary, including under the Veterans
17 Community Care Program under section 1703 of such
18 title.

19 **SEC. 148. LIMITATION ON DETAIL OF DIRECTORS OF MED-**
20 **ICAL CENTERS OF DEPARTMENT OF VET-**
21 **ERANS AFFAIRS TO DIFFERENT POSITIONS.**

22 (a) NOTIFICATION.—

23 (1) IN GENERAL.—Not later than 90 days after
24 detailing a director of a medical center of the De-
25 partment of Veterans Affairs to a different position

1 within the Department, the Secretary of Veterans
2 Affairs shall notify the Committee on Veterans' Af-
3 fairs of the Senate and the Committee on Veterans'
4 Affairs of the House of Representatives of such de-
5 tail.

6 (2) MATTERS TO BE INCLUDED.—The notifica-
7 tion required by paragraph (1) shall include, with re-
8 spect to a director of a medical center who is de-
9 tailed to a different position within the Department,
10 the following information:

11 (A) The location at which the director is
12 detailed.

13 (B) The position title of the detail.

14 (C) The estimated time the director is ex-
15 pected to be absent from their duties at the
16 medical center.

17 (D) Such other information as the Sec-
18 retary may determine appropriate.

19 (b) APPOINTMENT OF ACTING DIRECTOR.—Not later
20 than 120 days after detailing a director of a medical cen-
21 ter of the Department to a different position within the
22 Department, the Secretary shall appoint an individual as
23 acting director of such medical center with all of the au-
24 thority and responsibilities of the detailed director.

1 (c) UPDATE ON DETAIL.—Not later than 120 days
2 after detailing a director of a medical center of the De-
3 partment to a different position within the Department,
4 and not less frequently than every 30 days thereafter while
5 the detail is in effect or while the director position at the
6 medical center is vacant, the Secretary shall submit to the
7 Committee on Veterans' Affairs of the Senate and the
8 Committee on Veterans' Affairs of the House of Rep-
9 resentatives an update regarding the status of the detail.

10 (d) RETURN TO POSITION OR REASSIGNMENT.—

11 (1) IN GENERAL.—Except as provided in para-
12 graph (2), not later than 180 days after detailing a
13 director of a medical center of the Department to a
14 different position within the Department, for a rea-
15 son other than an ongoing investigation or adminis-
16 trative action with respect to the director, the Sec-
17 retary shall—

18 (A) return the individual to the position as
19 director of the medical center; or

20 (B) reassign the individual from the posi-
21 tion as director of the medical center and begin
22 the process of hiring a new director for such po-
23 sition.

24 (2) WAIVER.—

1 (A) IN GENERAL.—The Secretary may
2 waive the requirement under paragraph (1)
3 with respect to an individual for successive 90-
4 day increments for a total period of not more
5 than 540 days from the original date the indi-
6 vidual was detailed away from their position as
7 director of a medical center.

8 (B) NOTIFICATION.—Not later than 30
9 days after exercising a waiver under subpara-
10 graph (A), the Secretary shall notify Congress
11 of the waiver and provide to Congress informa-
12 tion as to why the waiver is necessary.

13 **SEC. 149. NATIONAL VETERAN SUICIDE PREVENTION AN-**
14 **NUAL REPORT.**

15 (a) NATIONAL VETERAN SUICIDE PREVENTION AN-
16 NUAL REPORT.—

17 (1) IN GENERAL.—Not later than 18 months
18 after the date of the enactment of this Act, and not
19 later than September 30 of each year thereafter, the
20 Secretary of Veterans Affairs shall submit to the ap-
21 propriate congressional committees and publish on a
22 publicly available website of the Department of Vet-
23 erans Affairs a report to be known as the “National
24 Veteran Suicide Prevention Annual Report”.

25 (2) EXTENSION.—

1 (A) IN GENERAL.—If the Secretary re-
2 quires an extension of the deadline for a report
3 under subsection (a), the Secretary shall submit
4 to the appropriate congressional committees a
5 written request for such an extension.

6 (B) ELEMENTS.—Each written request
7 under paragraph (1) for an extension for a re-
8 port shall include the following:

9 (i) The rationale for the delay in the
10 submission of the report.

11 (ii) An explanation of the need for an
12 extension.

13 (iii) A proposed amended date for the
14 submission and publication of the report.

15 (3) BRIEFING.—With respect to each report re-
16 quired under paragraph (1), the Secretary shall, be-
17 fore the date on which the Secretary submits such
18 report, provide to the appropriate congressional com-
19 mittees a briefing on such report.

20 (4) ELEMENTS.—

21 (A) IN GENERAL.—Each report required
22 under paragraph (1) shall include—

23 (i) the findings of the national anal-
24 ysis of veteran suicide rates for the latest
25 year for which data is available;

1 (ii) an identification of trends, if any,
2 demonstrated by such data; and

3 (iii) a comparison of such data to data
4 on veteran suicide rates during preceding
5 years.

6 (B) ADDITIONAL ELEMENTS.—Each report
7 under paragraph (1) shall include, for the year
8 covered by the report, the following:

9 (i) Suicide rates of veterans
10 disaggregated by age, gender, and race or
11 ethnicity.

12 (ii) Trends in suicide rates of veterans
13 compared to engagement of those veterans
14 with health care from the Veterans Health
15 Administration, including an examination
16 of trends in suicide rates or deaths
17 among—

18 (I) veterans who have recently re-
19 ceived health care from the Veterans
20 Health Administration as compared to
21 veterans who have never received
22 health care from the Veterans Health
23 Administration;

24 (II) veterans who are enrolled in
25 the patient enrollment system of the

1 Department of Veterans Affairs under
2 section 1705(a) of title 38, United
3 States Code, as compared to veterans
4 who have never enrolled in such sys-
5 tem;

6 (III) veterans who have recently
7 used services from a Vet Center as
8 compared to veterans who have never
9 used such services;

10 (IV) to the extent practicable,
11 veterans who have a diagnosis of sub-
12 stance use disorder; and

13 (V) other groups of veterans re-
14 lating to engagement with health care
15 from the Veterans Health Administra-
16 tion, as the Secretary considers prac-
17 ticable.

18 (iii) To the extent practicable, trends
19 in suicide rates of veterans compared to
20 engagement of those veterans with benefits
21 from the Veterans Benefits Administra-
22 tion, including an examination of trends in
23 suicide rates or deaths among—

24 (I) veterans who are currently
25 using, have previously used, or have

1 never used educational assistance
2 under the laws administered by the
3 Secretary;

4 (II) veterans who are currently
5 receiving, have previously received, or
6 have never received services or assist-
7 ance under chapter 31 of title 38,
8 United States Code;

9 (III) with respect to compensa-
10 tion under chapter 11 of such title—

11 (aa) veterans who were re-
12 cipients of such compensation as
13 compared to veterans who never
14 applied for such compensation
15 prior to death;

16 (bb) veterans who had a
17 claim denied for such compensa-
18 tion prior to death;

19 (cc) veterans who had a
20 pending claim for such com-
21 pensation at time of death; and

22 (dd) veterans who had an
23 entitlement for such compensa-
24 tion reduced prior to death;

1 (IV) veterans who are currently
2 receiving or have never received pen-
3 sion under chapter 15 of title 38,
4 United States Code;

5 (V) veterans who are currently
6 using, have recently used, or have
7 never used programs or services pro-
8 vided by the Homeless Programs Of-
9 fice of the Department, including an
10 examination of trends in suicide rates
11 or deaths among veterans who made
12 contact with such office but were de-
13 nied or deemed ineligible for any such
14 program or service;

15 (VI) with respect to housing
16 loans guaranteed by the Secretary
17 under chapter 37 of title 38, United
18 States Code, veterans who are current
19 recipients of, were recent recipients of,
20 or have never received such a loan;

21 (VII) veterans owing debts to the
22 Department;

23 (VIII) veterans who were in-
24 volved in a veterans treatment court

1 program, whether they graduated suc-
2 cessfully or not; and

3 (IX) veterans who were success-
4 fully contacted, unsuccessfully con-
5 tacted, or never contacted by the De-
6 partment through the Solid Start pro-
7 gram under section 6320 of title 38,
8 United States Code.

9 (C) STRATEGY AND RECOMMENDATIONS.—

10 (i) INITIAL REPORT.—The initial re-
11 port under paragraph (1) shall include a
12 strategy and recommendations developed
13 by the Secretary of Veterans Affairs, in
14 collaboration with the Director of the Cen-
15 ters for Disease Control and Prevention
16 and the Secretary of Defense, for—

17 (I) improving data collection at
18 the State and local levels to accurately
19 capture suicide deaths of veterans;

20 (II) improving the timeliness, ef-
21 ficacy, and standardization of data re-
22 porting on suicide deaths of veterans
23 at the Federal level, including by the
24 Centers for Disease Control and Pre-
25 vention, the Department of Defense,

1 and the Department of Veterans Af-
2 fairs;

3 (III) improving the timeliness of
4 identification and analysis of suicide
5 deaths of veterans by Federal agen-
6 cies, including the Centers for Disease
7 Control and Prevention, the Depart-
8 ment of Defense, and the Department
9 of Veterans Affairs; and

10 (IV) any other necessary process
11 improvements for improving the time-
12 liness, efficacy, and standardization of
13 reporting of data relating to suicide
14 deaths of veterans, particularly with
15 respect to the annual report under
16 this section.

17 (ii) SUBSEQUENT REPORTS.—Each
18 report after the initial report under para-
19 graph (1) shall include updates on actions
20 taken to meet the strategy and rec-
21 ommendations developed under subpara-
22 graph (A).

23 (5) DEFINITIONS.—In this subsection:

24 (A) The term “appropriate congressional
25 committees” means the Committees on Vet-

1 erans' Affairs of the Senate and the House of
2 Representatives.

3 (B) The term "Vet Center" means a cen-
4 ter for readjustment counseling and related
5 mental health services for veterans under sec-
6 tion 1712A of title 38, United States Code.

7 (b) INDEPENDENT ASSESSMENT OF NATIONAL VET-
8 ERAN SUICIDE PREVENTION ANNUAL REPORT.—

9 (1) IN GENERAL.—Not later than 90 days after
10 the date of the enactment of this Act, the Secretary
11 of Veterans Affairs shall enter into one or more con-
12 tracts with a private sector entity described in para-
13 graph (5) to conduct an independent assessment of
14 the National Veteran Suicide Prevention Annual Re-
15 port required under subsection (a).

16 (2) FREQUENCY.—The private sector entity or
17 entities carrying out the assessment required under
18 paragraph (1) shall complete such assessment not
19 later than 240 days after entering into the contract
20 described in such subsection and not less frequently
21 than every five years thereafter.

22 (3) ELEMENTS.—Each assessment required
23 under paragraph (1) shall analyze the following:

24 (A) The methodology used by the Depart-
25 ment to track, analyze, categorize, and report

1 suicide deaths and suicide rates among vet-
2 erans.

3 (B) Whether data sources used by the De-
4 partment to compile data on suicide deaths and
5 suicide rates among veterans are accurately re-
6 flecting such data.

7 (C) Vulnerabilities in the methodology used
8 by the Department that could lead to inac-
9 curate counting of suicide deaths and suicide
10 rates among veterans.

11 (D) The ability of the Department to cross
12 reference suicide deaths and suicide rates
13 among veterans with trends in usage of pro-
14 grams of the Veterans Health Administration
15 or the Veterans Benefits Administration or
16 other programs that could serve as widespread
17 protective factors against suicide.

18 (E) Improvements that could be made to
19 ensure the National Veteran Suicide Prevention
20 Annual Report required under subsection (a) is
21 accurate and comprehensive and provides in-
22 sights for making improvements to the suicide
23 prevention efforts of the Department.

24 (4) REPORT ON ASSESSMENT.—

1 (A) REPORT ON FINDINGS AND REC-
2 OMMENDATIONS.—Not later than 60 days after
3 completing an assessment required by para-
4 graph (1), the private sector entity or entities
5 carrying out the assessment shall submit to the
6 Secretary of Veterans Affairs and the Commit-
7 tees on Veterans' Affairs of the Senate and the
8 House of Representatives a report on the find-
9 ings and recommendations of the private sector
10 entity or entities with respect to such assess-
11 ment.

12 (B) REPORT ON PLANNED IMPROVE-
13 MENTS.—Not later than 60 days after receiving
14 a report under paragraph (1) with respect to an
15 assessment required by paragraph (1), the Sec-
16 retary shall submit to the Committees on Vet-
17 erans' Affairs of the Senate and the House of
18 Representatives a report on how the Depart-
19 ment plans to improve the National Veteran
20 Suicide Prevention Annual Report required
21 under subsection (a) based on such assessment.

22 (5) PRIVATE SECTOR ENTITY DESCRIBED.—A
23 private sector entity described in this paragraph is
24 a private entity that—

1 (A) specializes in analyzing large-scale or-
2 ganizational data collection and analysis efforts,
3 especially with respect to the health care sector;
4 and

5 (B) has experience and proven outcomes in
6 optimizing the accuracy and comprehensiveness
7 of data collection and analysis related to sui-
8 cide.

9 (c) REPORT ON ADDITIONAL BENEFITS AND SERV-
10 ICES FROM DEPARTMENT OF VETERANS AFFAIRS TO
11 PREVENT VETERAN SUICIDE.—

12 (1) IN GENERAL.—Not later than three years
13 after the date of the enactment of this Act, the Sec-
14 retary of Veterans Affairs shall submit to the Com-
15 mittees on Veterans' Affairs of the Senate and the
16 House of Representatives and publish on a publicly
17 available website of the Department of Veterans Af-
18 fairs a report that analyzes which benefits and serv-
19 ices under the laws administered by such Secretary,
20 including such benefits and services furnished by the
21 Veterans Benefits Administration, have the greatest
22 impact on the prevention of suicide among veterans,
23 including recommendations for potential expansion
24 of services and benefits to reduce the number of vet-
25 eran suicides.

1 (2) ASSESSMENT OF SOLID START PROGRAM.—

2 The report required by paragraph (1) shall include
3 an analysis of the effectiveness of the Solid Start
4 program under section 6320 of title 38, United
5 States Code, on prevention of suicide among vet-
6 erans.

7 (d) TOOLKIT FOR STATE AND LOCAL CORONERS AND
8 MEDICAL EXAMINERS ON BEST PRACTICES FOR IDENTI-
9 FYING AND REPORTING ON SUICIDE DEATHS OF VET-
10 ERANS.—

11 (1) IN GENERAL.—The Secretary of Veterans
12 Affairs, in collaboration with the Director of the
13 Centers for Disease Control and Prevention, shall
14 develop a toolkit for State and local coroners and
15 medical examiners that contains best practices for—

16 (A) accurately identifying and reporting
17 suicide deaths of veterans, including how to
18 identify veteran status; and

19 (B) reporting such deaths to the Centers
20 for Disease Control and Prevention and other
21 applicable entities.

22 (2) AVAILABILITY.—Not later than two years
23 after the date of the enactment of this Act, the Sec-
24 retary shall make the toolkit developed under para-

1 graph (1) available on a publicly available website of
2 the Department of Veterans Affairs.

3 (3) OUTREACH.—The Secretary, in collabora-
4 tion with the Director of the Centers for Disease
5 Control and Prevention, shall conduct outreach to
6 appropriate State and local agencies to promote the
7 availability and use of the toolkit developed under
8 paragraph (1).

9 **SEC. 150. REPORT ON PHYSICAL INFRASTRUCTURE RE-**
10 **QUIRED BY MEDICAL FACILITIES OF DEPART-**
11 **MENT OF VETERANS AFFAIRS TO PROVIDE**
12 **DENTAL CARE SERVICES.**

13 Not later than one year after the date of the enact-
14 ment of this Act, the Secretary of Veterans Affairs shall
15 submit to the Committees on Veterans' Affairs of the Sen-
16 ate and the House of Representatives a report, for each
17 medical center or other relevant health care facility of the
18 Department of Veterans Affairs, that includes—

19 (1) an identification of the physical infrastruc-
20 ture, including new facilities, renovations, remodels,
21 leases, or other infrastructure, such medical center
22 or health care facility requires to provide dental care
23 services to veterans eligible for such services under
24 the laws administered by the Secretary; and

1 (2) an analysis of the physical infrastructure
2 such medical center or health care facility would re-
3 quire if a greater number of veterans became eligible
4 for such dental care services pursuant to a modifica-
5 tion of the laws administered by the Secretary.

6 **SEC. 151. COMPTROLLER GENERAL REPORT ON CERTAIN**
7 **ORAL HEALTH CARE PROGRAMS UNDER**
8 **LAWS ADMINISTERED BY SECRETARY OF**
9 **VETERANS AFFAIRS.**

10 (a) IN GENERAL.—Not later than one year after the
11 date of the enactment of this Act, the Comptroller General
12 of the United States shall submit to the Committees on
13 Veterans' Affairs of the Senate and the House of Rep-
14 resentatives a report on the status of the oral health care
15 programs of the Department of Veterans Affairs, that in-
16 cludes an assessment of—

17 (1) any issues with information technology pro-
18 grams, including Dental Record Manager Plus, that
19 affect dental care staff of the Department;

20 (2) the implementation of the dental insurance
21 plan of the Department under section 1712C of title
22 38, United States Code;

23 (3) the implementation and expansion of the
24 VETSmile program of the Department;

1 (4) barriers preventing the Department from
2 expanding dental care eligibility to all veterans with
3 ischemic heart disease, including such barriers relat-
4 ing to physical infrastructure, workforce, and cost of
5 such dental care;

6 (5) barriers preventing dental clinics of the De-
7 partment, if any, from adopting teledentistry;

8 (6) the demographic makeup of veterans eligible
9 for dental care paid for by the Department as of the
10 commencement of the pilot program under section
11 145 of this Act, including information on—

12 (A) age;

13 (B) gender;

14 (C) race or ethnicity, disaggregated by—

15 (i) membership in an Indian Tribe;

16 and

17 (ii) the major race groups used in the
18 decennial census;

19 (D) employment status; and

20 (E) location of residence, disaggregated by
21 rural, highly rural, and urban locations; and

22 (7) changes to such demographic makeup if
23 any, that would result from an expansion of eligi-
24 bility for dental care under the laws administered by
25 the Secretary to all veterans with ischemic heart dis-

1 ease including changes to demographics specified in
2 paragraph (6).

3 (b) **THIRD PARTY ADMINISTRATOR DEFINED.**—In
4 this section, the term “Third Party Administrator” means
5 an entity that manages a provider network and performs
6 administrative services related to such network under sec-
7 tion 1703 of title 38, United States Code.

8 **SEC. 152. REVIEW OF WORKFLOWS ASSOCIATED WITH**
9 **PROCESSING REFERRALS BETWEEN FACILI-**
10 **TIES OF THE VETERANS HEALTH ADMINIS-**
11 **TRATION.**

12 (a) **IN GENERAL.**—The Secretary of Veterans Affairs
13 shall conduct a review of the workflows directly associated
14 with processing referrals of patients between facilities of
15 the Veterans Health Administration of the Department of
16 Veterans Affairs to identify specific delays or bottlenecks
17 in such referrals.

18 (b) **ELEMENTS OF REVIEW.**—The review required
19 under subsection (a) shall include a review of—

20 (1) the interfacility consult management guid-
21 ance of the Veterans Health Administration that as-
22 sists facilities described in subsection (a) in con-
23 structing a workflow for consults between such fa-
24 cilities; and

1 (2) the roles and responsibilities of the individ-
2 uals involved in the consult management process in
3 managing such consults, including the role of the re-
4 ferral coordination team.

5 (c) REPORT.—Not later than 180 days after the date
6 of the enactment of this Act, the Secretary shall submit
7 to Congress a report on the results of the review required
8 under subsection (a).

9 **SEC. 153. PLAN FOR TIMELY SCHEDULING OF APPOINT-**
10 **MENTS AT MEDICAL FACILITIES OF DEPART-**
11 **MENT OF VETERANS AFFAIRS.**

12 (a) PLAN REQUIRED.—To improve responsiveness in
13 the provision of hospital care and medical services at med-
14 ical facilities of the Department of Veterans Affairs, the
15 Secretary of Veterans Affairs shall develop a plan to—

16 (1) ensure that whenever a covered veteran con-
17 tacts the Department by telephone to request the
18 scheduling of an appointment for care or services for
19 the covered veteran at such a facility, the scheduling
20 for the appointment occurs during that telephone
21 call (regardless of the prospective date of the ap-
22 pointment being scheduled); and

23 (2) provide timely and, where applicable, same-
24 day scheduling for an appointment described in
25 paragraph (1).

1 (b) REPORT.—Not later than one year after the date
2 of the enactment of this Act, the Secretary shall submit
3 to the Committees on Veterans’ Affairs of the House of
4 Representatives and the Senate a report on the plan under
5 subsection (a).

6 (c) COVERED VETERAN DEFINED.—In this section,
7 the term “covered veteran” means a veteran who is en-
8 rolled in the system of patient enrollment of the Depart-
9 ment under section 1705(a) of title 38, United States
10 Code.

11 **SEC. 154. AUTHORIZATION OF APPROPRIATIONS TO SUP-**
12 **PORT INITIATIVES FOR MOBILE MAMMOG-**
13 **RAPHY SERVICES FOR VETERANS.**

14 There is authorized to be appropriated to the Sec-
15 retary of Veterans Affairs \$5,000,000 for fiscal year 2025
16 for the Office of Women’s Health of the Department of
17 Veterans Affairs under section 7310 of title 38, United
18 States Code, to be used by the Secretary to expand access
19 of women veterans to—

- 20 (1) mobile mammography initiatives;
21 (2) advanced mammography equipment; and
22 (3) outreach activities to publicize those initia-
23 tives and equipment.

1 **TITLE II—ECONOMIC**
2 **OPPORTUNITY MATTERS**
3 **Subtitle A—Educational Assistance**

4 **SEC. 201. TEMPORARY EXPANSION OF ELIGIBILITY FOR MA-**
5 **RINE GUNNERY SERGEANT JOHN DAVID FRY**
6 **SCHOLARSHIP.**

7 (a) IN GENERAL.—The Secretary of Veterans Affairs
8 shall treat an individual described in subsection (b) as a
9 covered individual described in section 3311(b) of title 38,
10 United States Code.

11 (b) COVERED INDIVIDUAL DESCRIBED.—An indi-
12 vidual described in this subsection is an individual who
13 is the child or spouse of a person—

14 (1) who dies from a service-connected disability
15 during the 120-day period immediately following the
16 day on which the person was discharged or released
17 from duty as a member of the Armed Forces (with-
18 out regard to whether such duty was active duty);
19 and

20 (2)(A) who received an honorable discharge; or
21 (B) whose service in the Armed Forces is char-
22 acterized by the Secretary concerned as honorable
23 service.

24 (c) APPLICABILITY.—This section shall apply with re-
25 spect to—

1 (1) deaths that occur before, on, or after the
2 date of the enactment of this Act; and

3 (2) a quarter, semester, or term, as applicable,
4 commencing—

5 (A) on or after August 1, 2024; and

6 (B) before October 1, 2026.

7 **SEC. 202. REMOVAL OF EXPIRATION ON ENTITLEMENT TO**
8 **MARINE GUNNERY SERGEANT JOHN DAVID**
9 **FRY SCHOLARSHIP FOR SURVIVING SPOUSES.**

10 Section 3311(f) of title 38, United States Code, is
11 amended—

12 (1) by striking paragraph (2);

13 (2) by redesignating paragraphs (3) through
14 (5) as paragraphs (2) through (4), respectively;

15 (3) in paragraph (2), as redesignated by para-
16 graph (2) of this section, by striking “in paragraph
17 (4)” and inserting “in paragraph (3)”; and

18 (4) in paragraph (3)(A), as redesignated by
19 paragraph (2) of this section, by striking “under
20 paragraph (3)” and inserting “under paragraph
21 (2)”.

1 **SEC. 203. SOLE LIABILITY FOR TRANSFERRED EDU-**
2 **CATIONAL ASSISTANCE BY AN INDIVIDUAL**
3 **WHO FAILS TO COMPLETE A SERVICE AGREE-**
4 **MENT.**

5 Subsection (i) of section 3319 of title 38, United
6 States Code, is amended—

7 (1) in paragraph (1)—

8 (A) by striking “In the event” and insert-
9 ing “Subject to paragraph (2), in the event”;
10 and

11 (B) by inserting “of this title” after “sec-
12 tion 3685”;

13 (2) in subparagraph (A) of paragraph (2)—

14 (A) in the heading, by striking “IN GEN-
15 ERAL” and inserting “SOLE LIABILITY”; and

16 (B) by striking “under paragraph (1)” and
17 inserting “for which the individual shall be sole-
18 ly liable to the United States for the amount of
19 the overpayment for purposes of section 3685
20 of this title”; and

21 (3) in subparagraph (B) of paragraph (2)—

22 (A) in the matter preceding clause (i), by
23 striking “Subparagraph (A) shall not apply”
24 and inserting “Neither the individual nor the
25 dependent shall be liable to the United States

1 for the amount of the overpayment for purposes
2 of section 3685 of this title”; and

3 (B) in clause (ii), by inserting “of this
4 title” after “section 3311(c)(4)”.

5 **SEC. 204. NOTICE TO EDUCATIONAL INSTITUTIONS OF**
6 **RISK-BASED SURVEYS.**

7 Section 3673A(d) of title 38, United States Code, is
8 amended by striking “one business day” and inserting
9 “two business days”.

10 **SEC. 205. RELATIONSHIP OF PARTICIPATION BY AN EDU-**
11 **CATIONAL INSTITUTION IN CERTAIN FED-**
12 **ERAL STUDENT FINANCIAL AID PROGRAMS**
13 **TO APPROVAL OF SUCH INSTITUTION FOR**
14 **PURPOSES OF DEPARTMENT OF VETERANS**
15 **AFFAIRS EDUCATIONAL ASSISTANCE PRO-**
16 **GRAMS.**

17 Paragraph (4) of section 3675(b) of title 38, United
18 States Code, is amended to read as follows:

19 “(4) The educational institution—

20 “(A) is approved and participates in a pro-
21 gram under title IV of the Higher Education
22 Act of 1965 (20 U.S.C. 1070 et seq.); or

23 “(B) does not participate in such a pro-
24 gram and the Secretary has waived the require-
25 ment under this paragraph with respect to the

1 educational institution, and submits to the
2 Committee on Veterans' Affairs of the Senate
3 and the Committee on Veterans' Affairs of the
4 House of Representatives notice of such waiver,
5 because the Secretary determines that the edu-
6 cational institution—

7 “(i) elects not to participate in such a
8 program;

9 “(ii) cannot participate in such a pro-
10 gram; or

11 “(iii) is in the process of making a
12 good-faith effort to submit an initial appli-
13 cation for approval to participate in such a
14 program, except that a waiver under this
15 clause may not be provided for a period of
16 longer than 36 months.”.

17 **SEC. 206. EXPANSION OF DEPARTMENT OF VETERANS AF-**
18 **FAIRS OVERSIGHT OF CERTAIN EDU-**
19 **CATIONAL INSTITUTIONS.**

20 (a) **ADDITIONAL REQUIREMENT FOR APPROVAL.—**
21 Section 3675(b) of title 38, United States Code, as amend-
22 ed by section 205, is further amended by adding at the
23 end the following new paragraph:

24 “(5) The educational institution agrees to, not
25 later than 30 days after any date on which such

1 educational institution becomes subject to an action
2 or event described in section 3673(e)(3) of this title,
3 submit to the State approving agency, or the Sec-
4 retary when acting in the role of a State approving
5 agency, a notification of such action or event in such
6 form and containing such information as the Sec-
7 retary determines appropriate.”.

8 (b) ADDITIONAL REQUIREMENT FOR APPROVAL OF
9 NONACCREDITED COURSES.—

10 (1) IN GENERAL.—Section 3676(c) of such title
11 is amended—

12 (A) by redesignating paragraphs (14)
13 through (16) as paragraphs (15) through (17),
14 respectively; and

15 (B) by inserting after paragraph (13) the
16 following new paragraph:

17 “(14) The institution agrees to, not later than
18 30 days after any date on which such institution be-
19 comes subject to an action or event described in sec-
20 tion 3673(e)(3) of this title, submit to the State ap-
21 proving agency, or the Secretary when acting in the
22 role of a State approving agency, a notification of
23 such action or event in such form and containing
24 such information as the Secretary determines appro-
25 priate.”.

1 (2) CONFORMING AMENDMENTS.—Such title is
2 further amended—

3 (A) in section 3672(b)(2)(C), by striking
4 “paragraph (14) or (15)” and inserting “para-
5 graph (15) or (16)”;

6 (B) in section 3675(b)(3), by striking
7 “(14), (15), and (16)” and inserting “(15),
8 (16), and (17)”;

9 (C) in section 3679(d), by striking “de-
10 scribed in paragraph (14) or (15)” and insert-
11 ing “described in paragraph (15) or (16)”; and

12 (D) in section 3680A(a)(4)(C)(iii), by
13 striking “section 3676(c)(14) and (15)” and in-
14 serting “section 3676(c)(15) and (16)”.

15 (c) ADDITIONAL GROUNDS FOR SUSPENSION OF AP-
16 PROVAL.—Section 3679(f)(1) of such title is amended by
17 adding at the end the following new subparagraph:

18 “(I) Comply with the notification requirements
19 under sections 3675(b)(5) and 3676(c)(14) of this
20 title, when applicable.”.

21 (d) DEADLINE FOR RISK-BASED SURVEYS DATA-
22 BASE.—The Secretary of Veterans Affairs shall establish
23 the database required under section 3673A(c) of title 38,
24 United States Code, by not later than 180 days after the
25 date of the enactment of this Act.

1 **SEC. 207. REQUIREMENT THAT EDUCATIONAL INSTITU-**
2 **TIONS APPROVED FOR PURPOSES OF DE-**
3 **PARTMENT OF VETERANS AFFAIRS EDU-**
4 **CATIONAL ASSISTANCE PROGRAMS PROVIDE**
5 **DIGITAL OFFICIAL TRANSCRIPTS.**

6 (a) REQUIREMENT.—Section 3675(b) of title 38,
7 United States Code, as amended by sections 205 and 206,
8 is further amended by adding at the end the following new
9 paragraph:

10 “(6) The educational institution makes avail-
11 able to each eligible person or veteran a copy of the
12 person or veteran’s official transcript in a digital
13 format.”.

14 (b) CONFORMING AMENDMENTS.—

15 (1) APPROVAL OF COURSES.—Section
16 3672(b)(2)(A) of such title is amended by striking
17 “(b)(1) and (b)(2)” and inserting “paragraphs (1),
18 (2), and (6) of section 3675(b)”.

19 (2) APPROVAL OF NONACCREDITED COURSES.—
20 Section 3676(c) of such title is amended—

21 (A) by redesignating paragraph (17) as
22 paragraph (18); and

23 (B) by inserting after paragraph (16) the
24 following new paragraph (17):

25 “(17) In the case of a course that leads to a
26 standard college degree, the educational institution

1 satisfies the requirements of section 3675(b)(6) of
2 this title.”.

3 (3) CONFORMING AMENDMENTS.—Section
4 3675(b)(3) of such title is amended by striking
5 “(15), (16), and (17)” and inserting “(15), (16),
6 and (18)”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on August 1, 2025, and apply
9 with respect to a quarter, semester, or term, as applicable,
10 commencing on or after such date.

11 **SEC. 208. PAYMENT OF FULL MONTHLY HOUSING STIPEND**
12 **FOR VETERANS ENROLLED IN FINAL SEMES-**
13 **TER USING EDUCATIONAL ASSISTANCE**
14 **UNDER POST-9/11 EDUCATIONAL ASSISTANCE**
15 **PROGRAM.**

16 (a) HOUSING ALLOWANCE.—Section 3680(a)(3) of
17 title 38, United States Code, is amended—

18 (1) by redesignating subparagraphs (A) and
19 (B) as clauses (i) and (ii), respectively (and by re-
20 designating each subordinate provision and the mar-
21 gins thereof accordingly);

22 (2) by striking “Notwithstanding paragraph
23 (1)” and inserting “(A) Notwithstanding paragraph
24 (1)”;

1 (3) by striking “, including a monthly housing
2 stipend described in section 3313(c) of this title,”;
3 and

4 (4) by adding at the end the following new sub-
5 paragraph (B):

6 “(B) For purposes of providing a monthly housing
7 stipend described in section 3313(c) to an eligible veteran
8 or eligible person for whom the Secretary is providing edu-
9 cational assistance under chapter 33 of this title during
10 a period that is the last semester, term, or academic period
11 pursuant to subparagraph (A), the Secretary shall treat
12 the veteran or person as pursuing a program of education
13 on a full-time basis.”.

14 (b) APPLICATION.—The amendments made by sub-
15 section (a) shall take effect on the date of the enactment
16 of this Act and apply with respect to a quarter, semester,
17 or term, as applicable, commencing on or after August 1,
18 2024.

19 **SEC. 209. MODIFICATION OF RULES FOR APPROVAL OF**
20 **COMMERCIAL DRIVER EDUCATION PRO-**
21 **GRAMS FOR PURPOSES OF EDUCATIONAL AS-**
22 **SISTANCE PROGRAMS OF THE DEPARTMENT**
23 **OF VETERANS AFFAIRS.**

24 (a) IN GENERAL.—Section 3680A(e) of title 38,
25 United States Code, is amended—

1 (1) by redesignating paragraphs (1) through
2 (3) as subparagraphs (A) through (C), respectively;

3 (2) in the matter before subparagraph (A), as
4 redesignated by paragraph (1), by inserting “(1)”
5 before “The Secretary”;

6 (3) in paragraph (1)(B), as redesignated by
7 paragraph (1), by inserting “except as provided in
8 paragraph (2),” before “the course”; and

9 (4) by adding at the end the following new
10 paragraph (2):

11 “(2)(A) Subject to this paragraph, a commercial driv-
12 er education program is exempt from paragraph (1)(B)
13 for a branch of an educational institution if the commer-
14 cial driver education program offered at the branch by the
15 educational institution—

16 “(i) is appropriately licensed; and

17 “(ii)(I) the branch is located in a State in
18 which the same commercial driver education pro-
19 gram is offered by the same educational institution
20 at another branch of that educational institution in
21 the same State that is approved for purposes of this
22 chapter by a State approving agency or the Sec-
23 retary when acting in the role of a State approving
24 agency; or

1 “(II)(aa) the branch is located in a State in
2 which the same commercial driver education pro-
3 gram is not offered at another branch of the same
4 educational institution in the same State; and

5 “(bb) the branch has been operating for a pe-
6 riod of at least one year using the same curriculum
7 as a commercial driver education program offered by
8 the educational institution at another location that is
9 approved for purposes of this chapter by a State ap-
10 proving agency or the Secretary when acting in the
11 role of a State approving agency.

12 “(B)(i) In order for a commercial driver education
13 program of an educational institution offered at a branch
14 described in paragraph (1)(B) to be exempt under sub-
15 paragraph (A) of this paragraph, the educational institu-
16 tion shall submit to the Secretary each year that para-
17 graph (1)(B) would otherwise apply a report that dem-
18 onstrates that the curriculum at the new branch is the
19 same as the curriculum at the primary location.

20 “(ii) Reporting under clause (i) shall be submitted
21 in accordance with such requirements as the Secretary
22 shall establish in consultation with the State approving
23 agencies.

24 “(C)(i) The Secretary may withhold an exemption
25 under subparagraph (A) for any educational institution or

1 branch of an educational institution as the Secretary con-
2 siders appropriate.

3 “(ii) In making any determination under clause (i),
4 the Secretary may consult with the Secretary of Transpor-
5 tation on the performance of a provider of a commercial
6 driver program, including the status of the provider within
7 the Training Provider Registry of the Federal Motor Car-
8 rier Safety Administration when appropriate.

9 “(D) The Secretary shall submit to the Committees
10 on Veterans’ Affairs of the Senate and House of Rep-
11 resentatives a notification not later than 30 days after the
12 Secretary grants an exemption under this paragraph.
13 Such notification shall identify the educational institution
14 and branch of such educational institution granted such
15 exemption.”.

16 (b) IMPLEMENTATION.—

17 (1) ESTABLISHMENT OF REQUIREMENTS.—Not
18 later than 180 days after the date of the enactment
19 of this Act, the Secretary of Veterans Affairs shall
20 establish requirements under section
21 3680A(e)(2)(B)(ii) of such title, as added by sub-
22 section (a).

23 (2) RULEMAKING.—In promulgating any rules
24 to carry out paragraph (2) of section 3680A(e) of
25 title 38, United States Code, as added by subsection

1 (a), the Secretary of Veterans Affairs shall consult
2 with State approving agencies.

3 (3) APPLICABILITY.—The amendments made
4 by subsection (a) shall apply to commercial driver
5 education programs on and after the day that is 365
6 days after the date on which the Secretary estab-
7 lishes the requirements under paragraph (1) of this
8 subsection.

9 (c) COMPTROLLER GENERAL OF THE UNITED
10 STATES STUDY.—Not later than 365 days after the date
11 of the enactment of this Act, the Comptroller General of
12 the United States shall—

13 (1) conduct a study to—

14 (A) ascertain the effects of the amend-
15 ments made by subsection (a); and

16 (B) the feasibility and advisability of simi-
17 larly amending the rules for approval of pro-
18 grams of education for other vocational pro-
19 grams of education; and

20 (2) submit to the Committees on Veterans' Af-
21 fairs of the Senate and House of Representatives a
22 report on the findings of the Comptroller General
23 with respect to such study.

1 **SEC. 210. PROVISION OF CERTIFICATES OF ELIGIBILITY**
2 **AND AWARD LETTERS USING ELECTRONIC**
3 **MEANS.**

4 (a) IN GENERAL.—Chapter 36 of title 38, United
5 States Code, is amended by inserting after section 3698
6 the following new section (and conforming the table of sec-
7 tions at the beginning of such chapter accordingly):

8 **“§ 3698A. Provision of certificates of eligibility and**
9 **award letters using electronic means**

10 “(a) REQUIREMENT.—Except as provided by sub-
11 section (b), the Secretary shall provide to an individual
12 the following documents using electronic means:

13 “(1) A certificate of eligibility for the entitle-
14 ment of the individual to covered educational assist-
15 ance.

16 “(2) An award letter regarding the authoriza-
17 tion of the individual to receive covered educational
18 assistance.

19 “(b) ELECTION TO OPT OUT.—An individual may
20 elect to receive the documents specified in subsection (a)
21 by mail rather than through electronic means under sub-
22 section (a). An individual may revoke such an election at
23 any time, by means prescribed by the Secretary.

24 “(c) COVERED EDUCATIONAL ASSISTANCE.—In this
25 section, the term ‘covered educational assistance’ means

1 educational assistance under chapter 30, 33, or 35 of this
2 title, or section 3699C of this title.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of such chapter is amended by inserting
5 after the item relating to section 3698 the following new
6 item:

“3698A. Provision of certificates of eligibility and award letters using electronic means.”.

7 **SEC. 211. RETROACTIVE EFFECTIVE DATE OF LAW RE-**
8 **GARDING CHARGE TO ENTITLEMENT TO EDU-**
9 **CATIONAL ASSISTANCE FOR INDIVIDUALS**
10 **WHO DO NOT TRANSFER CREDITS FROM CER-**
11 **TAIN CLOSED OR DISAPPROVED PROGRAMS**
12 **OF EDUCATION.**

13 Section 3699(c)(2) of title 38, United States Code,
14 is amended by striking subparagraph (C) and inserting
15 the following new subparagraph (C):

16 “(C) This paragraph, including clauses (ii) and (iii)
17 of subparagraph (A), shall apply with respect to the clo-
18 sure or discontinuation of a course or program of edu-
19 cation, as described in subsection (b)(1), that occurs dur-
20 ing the period beginning on August 1, 2021, and ending
21 on September 30, 2025.”.

22 **SEC. 212. DEPARTMENT OF VETERANS AFFAIRS HIGH**
23 **TECHNOLOGY PROGRAM.**

24 (a) HIGH TECHNOLOGY PROGRAM.—

1 (1) IN GENERAL.—Chapter 36 of title 38,
2 United States Code, as amended by section 210, is
3 amended by adding at the end the following new sec-
4 tion:

5 **“§ 3699C. High technology program**

6 “(a) ESTABLISHMENT.—(1) The Secretary shall
7 carry out a program under which the Secretary provides
8 covered individuals with the opportunity to enroll in high
9 technology programs of education that the Secretary de-
10 termines provide training or skills sought by employers in
11 a relevant field or industry.

12 “(2) Not more than 4,000 covered individuals may
13 participate in the program under this section in any fiscal
14 year.

15 “(b) AMOUNT OF ASSISTANCE.—(1) The Secretary
16 shall provide, to each covered individual who pursues a
17 high technology program of education under this section,
18 educational assistance in amounts equal to the amounts
19 provided under section 3313(c)(1) of this title, including,
20 except as provided in paragraph (3), with respect to the
21 housing stipend described in that section and in accord-
22 ance with the treatment of programs that are distance
23 learning and programs that are less than half-time.

1 “(2) Under paragraph (1), the Secretary shall pro-
2 vide such amounts of educational assistance to a covered
3 individual for each of the following:

4 “(A) A high technology program of education.

5 “(B) A second such program if—

6 “(i) the second such program begins at
7 least 18 months after the covered individual
8 graduates from the first such program; and

9 “(ii) the covered individual uses edu-
10 cational assistance under chapter 33 of this
11 title to pursue the second such program.

12 “(3) No covered individual may receive a housing sti-
13 pend under this subsection for any month if such indi-
14 vidual is in receipt of a housing stipend under chapter 33
15 of this title for that month.

16 “(c) CONTRACTS.—(1) For purposes of carrying out
17 subsection (a), the Secretary shall seek to enter into con-
18 tracts with any number of qualified providers of high tech-
19 nology programs of education for the provision of such
20 programs to covered individuals. Each such contract shall
21 provide for the conditions under which the Secretary may
22 terminate the contract with the provider and the proce-
23 dures for providing for the graduation of students who
24 were enrolled in a program provided by such provider in
25 the case of such a termination.

1 “(2) A contract under this subsection shall provide
2 that the Secretary shall pay to a provider—

3 “(A) upon the enrollment of a covered indi-
4 vidual in the program, 25 percent of the cost of the
5 tuition and other fees for the program of education
6 for the individual;

7 “(B) upon graduation of the individual from
8 the program, 25 percent of such cost; and

9 “(C) 50 percent of such cost upon—

10 “(i) the successful employment of the cov-
11 ered individual for a period—

12 “(I) of 180 days in the field of study
13 of the program; and

14 “(II) that begins not later than 180
15 days following graduation of the covered
16 individual from the program;

17 “(ii) the employment of the individual by
18 the provider for a period of one year; or

19 “(iii) the enrollment of the individual in a
20 program of education to continue education in
21 such field of study.

22 “(3) For purposes of this section, a provider of a high
23 technology program of education is qualified if—

1 “(A) the provider employs instructors whom the
2 Secretary determines are experts in their respective
3 fields in accordance with paragraph (5);

4 “(B) the provider has successfully provided the
5 high technology program for at least one year;

6 “(C) the provider does not charge tuition and
7 fees to a covered individual who receives assistance
8 under this section to pursue such program that are
9 higher than the tuition and fees charged by such
10 provider to another individual; and

11 “(D) the provider meets the approval criteria
12 developed by the Secretary under paragraph (4).

13 “(4)(A) The Secretary shall prescribe criteria for ap-
14 proving providers of a high technology program of edu-
15 cation under this section.

16 “(B) In developing such criteria, the Secretary may
17 consult with State approving agencies.

18 “(C) Such criteria are not required to meet the re-
19 quirements of section 3672 of this title.

20 “(D) Such criteria shall include the job placement
21 rate, in the field of study of a program of education, of
22 covered individuals who complete such program of edu-
23 cation.

24 “(5) The Secretary shall determine whether instruc-
25 tors are experts under paragraph (3)(A) based on evidence

1 furnished to the Secretary by the provider regarding the
2 ability of the instructors to—

3 “(A) identify professions in need of new em-
4 ployees to hire, tailor the programs to meet market
5 needs, and identify the employers likely to hire grad-
6 uates;

7 “(B) effectively teach the skills offered to cov-
8 ered individuals;

9 “(C) provide relevant industry experience in the
10 fields of programs offered to incoming covered indi-
11 viduals; and

12 “(D) demonstrate relevant industry experience
13 in such fields of programs.

14 “(6) In entering into contracts under this subsection,
15 the Secretary shall give preference to a provider of a high
16 technology program of education—

17 “(A) from which at least 70 percent of grad-
18 uates find full-time employment in the field of study
19 of the program during the 180-day period beginning
20 on the date the student graduates from the program;
21 or

22 “(B) that offers tuition reimbursement for any
23 student who graduates from such a program and
24 does not find employment described in subparagraph
25 (A).

1 “(d) EFFECT ON OTHER ENTITLEMENT.—(1) If a
2 covered individual enrolled in a high technology program
3 of education under this section has remaining entitlement
4 to educational assistance under chapter 30, 32, 33, 34,
5 or 35 of this title, such entitlement shall be charged at
6 the rate of one month of such entitlement for each month
7 of educational assistance provided under this section.

8 “(2) If a covered individual enrolled in a high tech-
9 nology program of education under this section does not
10 have remaining entitlement to educational assistance
11 under chapter 30, 32, 33, 34, or 35 of this title, any edu-
12 cational assistance provided to such individual under this
13 section shall be provided in addition to the entitlement
14 that the individual has used.

15 “(3) The Secretary may not consider enrollment in
16 a high technology program of education under this section
17 to be assistance under a provision of law referred to in
18 section 3695 of this title.

19 “(4)(A) An application for enrollment in a high tech-
20 nology program of education under this section shall in-
21 clude notice of the requirements relating to use of entitle-
22 ment under paragraphs (1) and (2), including—

23 “(i) in the case of the enrollment of an indi-
24 vidual referred to under paragraph (1), the amount

1 of entitlement that is typically charged for such en-
2 rollment;

3 “(ii) an identification of any methods that may
4 be available for minimizing the amount of entitle-
5 ment required for such enrollment; and

6 “(iii) an element requiring applicants to ac-
7 knowledge receipt of the notice under this subpara-
8 graph.

9 “(B) If the Secretary approves the enrollment of a
10 covered individual in a high technology program of edu-
11 cation under this section, the Secretary shall deliver elec-
12 tronically to the individual an award letter that provides
13 notice of such approval and includes specific information
14 describing how paragraphs (1) and (2) will be applied to
15 the individual if the individual chooses to enroll in the pro-
16 gram.

17 “(e) REQUIREMENTS FOR EDUCATIONAL INSTITU-
18 TIONS.—(1) The Secretary shall not approve the enroll-
19 ment of any covered individual, not already enrolled, in
20 any high technology programs of education under this sec-
21 tion for any period during which the Secretary finds that
22 more than 85 percent of the students enrolled in the pro-
23 gram are having all or part of their tuition, fees, or other
24 charges paid to or for them by the educational institution
25 or by the Department of Veterans Affairs under this title

1 or under chapter 1606 or 1607 of title 10, except with
2 respect to tuition, fees, or other charges that are paid
3 under a payment plan at an educational institution that
4 the Secretary determines has a history of offering pay-
5 ment plans that are completed not later than 180 days
6 after the end of the applicable term, quarter, or semester.

7 “(2) The Secretary may waive a requirement of para-
8 graph (1) if the Secretary determines, pursuant to regula-
9 tions which the Secretary shall prescribe, such waiver to
10 be in the interest of the covered individual and the Federal
11 Government. Not later than 30 days after the Secretary
12 waives such a requirement, the Secretary shall submit to
13 the Committees on Veterans’ Affairs of the Senate and
14 House of Representatives a report regarding such waiver.

15 “(3)(A)(i) The Secretary shall establish and maintain
16 a process by which an educational institution may request
17 a review of a determination that the educational institu-
18 tion does not meet the requirements of paragraph (1).

19 “(ii) The Secretary may consult with a State approv-
20 ing agency regarding such process or such a review.

21 “(iii) Not later than 180 days after the Secretary es-
22 tablishes or revises a process under this subparagraph, the
23 Secretary shall submit to the Committees on Veterans’ Af-
24 fairs of the Senate and House of Representatives a report
25 regarding such process.

1 “(B) An educational institution that requests a re-
2 view under subparagraph (A)—

3 “(i) shall request the review not later than 30
4 days after the start of the term, quarter, or semester
5 for which the determination described in subpara-
6 graph (A) applies; and

7 “(ii) may include any information that the edu-
8 cational institution believes the Department should
9 have taken into account when making the deter-
10 mination, including with respect to any mitigating
11 circumstances.

12 “(f) ANNUAL REPORTS.—Not later than one year
13 after the date of the enactment of this section, and annu-
14 ally thereafter until the termination date specified in sub-
15 section (i), the Secretary shall submit to the Committees
16 on Veterans’ Affairs of the Senate and House of Rep-
17 resentatives a report on the operation of program under
18 this section during the year covered by the report. Each
19 such report shall include each of the following:

20 “(1) The number of covered individuals enrolled
21 in the program, disaggregated by type of educational
22 institution, during the year covered by the report.

23 “(2) The number of covered individuals who
24 completed a high technology program of education

1 under the program during the year covered by the
2 report.

3 “(3) The average employment rate of covered
4 individuals who completed such a program of edu-
5 cation during such year, as of 180 days after the
6 date of completion.

7 “(4) The average length of time between the
8 completion of such a program of education and em-
9 ployment.

10 “(5) The total number of covered individuals
11 who completed a program of education under the
12 program and who, as of the date of the submission
13 of the report, are employed in a position related to
14 technology.

15 “(6) The average salary of a covered individual
16 who completed a program of education under the
17 program and who is employed in a position related
18 to technology, in various geographic areas deter-
19 mined by the Secretary.

20 “(7) The average salary of all individuals em-
21 ployed in positions related to technology in the geo-
22 graphic areas determined under subparagraph (F),
23 and the difference, if any, between such average sal-
24 ary and the average salary of a covered individual
25 who completed a program of education under the

1 program and who is employed in a position related
2 to technology.

3 “(8) The number of covered individuals who
4 completed a program of education under the pro-
5 gram and who subsequently enrolled in a second
6 program of education under the program.

7 “(g) COLLECTION OF INFORMATION; CONSULTA-
8 TION.—(1) The Secretary shall develop practices to use
9 to collect information about covered individuals and pro-
10 viders of high technology programs of education.

11 “(2) For the purpose of carrying out program under
12 this section, the Secretary may consult with providers of
13 high technology programs of education and may establish
14 an advisory group made up of representatives of such pro-
15 viders, private employers in the technology field, and other
16 relevant groups or entities, as the Secretary determines
17 necessary.

18 “(h) DEFINITIONS.—In this section:

19 “(1) The term ‘covered individual’ means any of
20 the following:

21 “(A) A veteran whom the Secretary deter-
22 mines—

23 “(i) served an aggregate of at least 36
24 months on active duty in the Armed
25 Forces (including service on active duty in

1 entry level and skill training) and was dis-
2 charged or released therefrom under condi-
3 tions other than dishonorable; and

4 “(ii) has not attained the age of 62.

5 “(B) A member of the Armed Forces that
6 the Secretary determines will become a veteran
7 described in subparagraph (A) fewer than 180
8 days after the date of such determination.

9 “(2) The term ‘high technology program of edu-
10 cation’ means a program of education—

11 “(A) offered by a public or private edu-
12 cational institution;

13 “(B) if offered by an institution of higher
14 learning, that is provided directly by such insti-
15 tution rather than by an entity other than such
16 institution under a contract or other agreement;

17 “(C) that does not lead to a degree;

18 “(D) that has a term of not less than six
19 and not more than 28 weeks; and

20 “(E) that provides instruction in computer
21 programming, computer software, media appli-
22 cation, data processing, or information sciences.

23 “(i) TERMINATION.—The Secretary may not provide
24 educational assistance under this section for a high tech-

1 nology program of education that begins after September
2 30, 2026.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of such chapter is amended
5 by inserting after the item relating to section 3699B
6 the following new item:

“3699C. High technology program.”.

7 (b) EFFECT ON HIGH TECHNOLOGY PILOT PRO-
8 GRAM.—Section 116 of the Harry W. Colmery Veterans
9 Educational Assistance Act of 2017 (Public Law 115–48;
10 38 U.S.C. 3001 note) is amended—

11 (1) by amending subsection (d) to read as fol-
12 lows:

13 “(d) HOUSING STIPEND.—

14 “(1) IN GENERAL.—Except as provided under
15 paragraph (2), the Secretary shall pay to each eligi-
16 ble veteran (not including an individual described in
17 the second sentence of subsection (b)) who is en-
18 rolled in a high technology program of education
19 under the pilot program on a full-time or part-time
20 basis a monthly housing stipend equal to the prod-
21 uct—

22 “(A) of—

23 “(i) in the case of a veteran pursuing
24 resident training, the monthly amount of
25 the basic allowance for housing payable

1 under section 403 of title 37, United
2 States Code, for a member with depend-
3 ents in pay grade E-5 residing in the mili-
4 tary housing area that encompasses all or
5 the majority portion of the ZIP code area
6 in which is located the campus of the insti-
7 tution where the individual physically par-
8 ticipates in a majority of classes; or

9 “(ii) in the case of a veteran pursuing
10 a program of education through distance
11 learning, a monthly amount equal to 50
12 percent of the national average of the
13 monthly amount of the basic allowance for
14 housing payable under section 403 of title
15 37, United States Code, for a member with
16 dependents in pay grade E-5, multiplied
17 by

18 “(B) the lesser of—

19 “(i) 1.0; or

20 “(ii) the number of course hours
21 borne by the individual in pursuit of the
22 program of education involved, divided by
23 the minimum number of course hours re-
24 quired for full-time pursuit of such pro-

1 gram of education, rounded to the nearest
2 multiple of 10.

3 “(2) BAR TO DUAL ELIGIBILITY.—No covered
4 individual may receive a housing stipend under this
5 subsection for any month if such individual is in re-
6 ceipt of a housing stipend under chapter 33 of title
7 38, United States Code, for that month.”;

8 (2) in subsection (g), by striking paragraph (6);
9 and

10 (3) by striking subsection (h) and inserting the
11 following new subsection (h):

12 “(h) TERMINATION.—The Secretary may not, under
13 this section, pay a provider for a high technology program
14 of education that begins after September 30, 2024.”.

15 (c) APPROVAL OF CERTAIN HIGH TECHNOLOGY PRO-
16 GRAMS.—Section 3680A of title 38, United States Code,
17 is amended—

18 (1) in subsection (a), by striking paragraph (4)
19 and inserting the following:

20 “(4) Any independent study program except—

21 “(A) an independent study program (in-
22 cluding such a program taken over open circuit
23 television) that—

24 “(i) is accredited by an accrediting
25 agency or association recognized by the

1 Secretary of Education under subpart 2 of
2 part H of title IV of the Higher Education
3 Act of 1965 (20 U.S.C. 1099b);

4 “(ii) leads to—

5 “(I) a standard college degree;

6 “(II) a certificate that reflects
7 educational attainment offered by an
8 institution of higher learning; or

9 “(III) a certificate that reflects
10 graduation from a course of study of-
11 fered by—

12 “(aa) an area career and
13 technical education school (as de-
14 fined in subparagraphs (C) and
15 (D) of section 3(3) of the Carl D.
16 Perkins Career and Technical
17 Education Act of 2006 (20
18 U.S.C. 2302(3))) that provides
19 education at the postsecondary
20 level; or

21 “(bb) a postsecondary voca-
22 tional institution (as defined in
23 section 102(c) of the Higher
24 Education Act of 1965 (20
25 U.S.C. 1002(c))) that provides

1 education at the postsecondary
2 level; and

3 “(iii) in the case of a program de-
4 scribed in clause (ii)(III)—

5 “(I) provides training aligned
6 with the requirements of employers in
7 the State or local area where the pro-
8 gram is located, which may include in-
9 demand industry sectors or occupa-
10 tions;

11 “(II) provides a student, upon
12 graduation from the program, with a
13 recognized postsecondary credential
14 that is recognized by employers in the
15 relevant industry, which may include
16 a credential recognized by industry or
17 sector partnerships in the State or
18 local area where the industry is lo-
19 cated; and

20 “(III) meets such content and in-
21 structional standards as may be re-
22 quired to comply with the criteria
23 under section 3676(c)(14) and (15) of
24 this title; or

1 “(B) an online high technology program of
2 education (as defined in subsection (h)(2) of
3 section 3699C of this title)—

4 “(i) the provider of which has entered
5 into a contract with the Secretary under
6 subsection (c) of such section;

7 “(ii) that has been provided to covered
8 individuals (as defined in subsection (h)(1)
9 of such section) under such contract for a
10 period of at least five years;

11 “(iii) regarding which the Secretary
12 has determined that the average employ-
13 ment rate of covered individuals who grad-
14 uated from such program of education is
15 65 percent or higher for the year preceding
16 such determination; and

17 “(iv) that satisfies the requirements of
18 subsection (e) of such section.”; and

19 (2) in subsection (d), by adding at the end the
20 following:

21 “(8) Paragraph (1) shall not apply to the enrollment
22 of a veteran in an online high technology program de-
23 scribed in subsection (a)(4)(B).”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 subsections (a) and (c) shall take effect on October 1,
3 2024.

4 **SEC. 213. NOTICE OF CHANGES TO DEPARTMENT OF VET-**
5 **ERANS AFFAIRS POLICIES AND GUIDANCE**
6 **AFFECTING THE EDUCATIONAL ASSISTANCE**
7 **PROGRAMS OF THE DEPARTMENT.**

8 (a) IN GENERAL.—Subchapter III of chapter 36 of
9 title 38, United States Code, as amended by sections 210
10 and 212, is further amended by adding at the end the
11 following new section:

12 **“§ 3699D. Notice of changes to policies and guidance**
13 **relating to educational assistance pro-**
14 **grams**

15 “In the case of any change to any policy or guidance
16 provided by the Secretary that relates to any educational
17 assistance program of the Department, the Secretary may
18 not implement the change before the date that is 90 days
19 after the date on which the Secretary makes available to
20 students, educational institutions, and the Committees on
21 Veterans’ Affairs of the Senate and House of Representa-
22 tives notice of, and justification for, the change.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of such chapter is amended by inserting

1 after the item relating to section 3699B the following new
2 item:

“3699D. Notice of changes to policies and guidance relating to educational assistance programs.”.

3 (c) **EFFECTIVE DATE.**—Section 3699D of title 38,
4 United States Code, as added by subsection (a), shall take
5 effect on the date of the enactment of this Act and apply
6 with respect to a rule making on or after August 1, 2024.

7 **SEC. 214. PAYMENT OF VA EDUCATIONAL ASSISTANCE VIA**
8 **ELECTRONIC FUND TRANSFER TO A FOREIGN**
9 **INSTITUTION OF HIGHER EDUCATION.**

10 Not later than 90 days after the date of the enact-
11 ment of this Act, the Secretary of Veterans Affairs shall
12 update the payment system of the Department of Veterans
13 Affairs to allow for electronic fund transfer of educational
14 assistance, administered by the Secretary, to a foreign in-
15 stitution of higher education that—

16 (1) provides an approved course of education to
17 an eligible recipient of such assistance; and

18 (2) does not have—

19 (A) an employer identification number; or

20 (B) an account with a domestic bank.

1 **SEC. 215. IMPROVING TRANSPARENCY AND ACCOUNT-**
2 **ABILITY OF EDUCATIONAL INSTITUTIONS**
3 **FOR PURPOSES OF VETERANS EDUCATIONAL**
4 **ASSISTANCE.**

5 (a) REQUIREMENT RELATING TO G.I. BILL COM-
6 PARISON TOOL.—

7 (1) REQUIREMENT TO MAINTAIN TOOL.—The
8 Secretary of Veterans Affairs shall maintain the G.I.
9 Bill Comparison Tool that was established pursuant
10 to Executive Order 13607 (77 Fed. Reg. 25861; re-
11 lating to establishing principles of excellence for edu-
12 cational institutions serving service members, vet-
13 erans, spouses, and other family members) and in
14 effect on the day before the date of enactment of
15 this Act, or a successor tool, to provide relevant and
16 timely information about programs of education ap-
17 proved under chapter 36 of title 38, United States
18 Code, and the educational institutions that offer
19 such programs.

20 (2) DATA RETENTION.—The Secretary shall en-
21 sure that historical data that is reported via the tool
22 maintained under paragraph (1) remains easily and
23 prominently accessible on the benefits.va.gov website,
24 or a successor website, for a period of not less than
25 six years from the date of initial publication.

1 (b) PROVIDING TIMELY AND RELEVANT EDUCATION
2 INFORMATION TO VETERANS, MEMBERS OF THE ARMED
3 FORCES, AND OTHER INDIVIDUALS.—

4 (1) IN GENERAL.—Not later than one year
5 after the date of the enactment of this Act, the Sec-
6 retary of Veterans Affairs, in consultation with the
7 Secretary of Education, the Secretary of the Treas-
8 ury, and the heads of other relevant Federal agen-
9 cies, shall make such changes to the tool maintained
10 under subsection (a) as the Secretary of Veterans
11 Affairs determines appropriate to ensure that such
12 tool is an effective and efficient method for providing
13 information pursuant to section 3698(b)(5) of title
14 38, United States Code.

15 (2) MEMORANDUM OF UNDERSTANDING RE-
16 QUIRED.—Not later than two years after the date of
17 the enactment of this Act, the Secretary of Veterans
18 Affairs shall seek to enter into a memorandum of
19 understanding with the Secretary of Education and
20 the heads other relevant Federal agencies, as the
21 Secretary of Veterans Affairs determines appro-
22 priate, to obtain information on outcomes with re-
23 spect to individuals who are entitled to educational
24 assistance under the laws administered by the Sec-
25 retary of Veterans Affairs and who are attending

1 educational institutions. Such memorandum of un-
2 derstanding may include data sharing or computer
3 matching agreements.

4 (3) MODIFICATION OF SCOPE OF COMPREHEN-
5 SIVE POLICY ON PROVIDING EDUCATION INFORMA-
6 TION.—Section 3698 of title 38, United States Code,
7 is amended—

8 (A) in subsection (a), by striking “veterans
9 and members of the Armed Forces” and insert-
10 ing “individuals entitled to educational assist-
11 ance under laws administered by the Secretary
12 of Veterans Affairs”; and

13 (B) in subsection (b)(5)—

14 (i) by striking “veterans and members
15 of the Armed Forces” and inserting “indi-
16 viduals described in subsection (a)”; and

17 (ii) by striking “the veteran or mem-
18 ber” and inserting “the individual”.

19 (4) G.I. BILL COMPARISON TOOL REQUIRED
20 DISCLOSURES.—Paragraph (1) of subsection (c) of
21 such section is amended—

22 (A) by striking subparagraph (B) and in-
23 serting the following:

24 “(B) for each individual described in subsection
25 (a) seeking information provided under subsection

1 (b)(5), the name of each Federal student aid pro-
2 gram, and a description of each such program, from
3 which the individual may receive educational assist-
4 ance;”;

5 (B) in subparagraph (C)—

6 (i) in clause (i), by inserting “and a
7 definition of each type of institution” be-
8 fore the semicolon;

9 (ii) in clause (iv), by inserting “and if
10 so, which programs” before the semicolon;

11 (iii) by striking clause (v) and insert-
12 ing the following:

13 “(v) the average annual cost and the total
14 cost to earn an associate’s degree and a bach-
15 elor’s degree, with available cost information on
16 any other degree or credential the institution
17 awards;”;

18 (iv) in clause (vi), by inserting before
19 the semicolon the following: “disaggregated
20 by—

21 “(I) the type of beneficiary of edu-
22 cational assistance;

23 “(II) individuals who received a cre-
24 dential and individuals who did not; and

1 “(II) individuals using educational as-
2 sistance under laws administered by the
3 Secretary and individuals who are not”;

4 (v) in clause (xiv), by striking “and”
5 at the end;

6 (vi) in clause (xv), by striking the pe-
7 riod at the end and inserting a semicolon;
8 and

9 (vii) by adding at the end the fol-
10 lowing new clauses:

11 “(xvi) the number of veterans or members
12 who completed covered education at the institu-
13 tion leading to—

14 “(I) a degree, disaggregated by type
15 of program, including—

16 “(aa) an associate degree;

17 “(bb) a bachelor’s degree; and

18 “(cc) a postbaccalaureate degree;

19 and

20 “(II) a certificate or professional li-
21 cense, disaggregated by type of certificate
22 or professional license;

23 “(xvii) programs available and the average
24 time for completion of each program;

1 “(xviii) employment rate and median in-
2 come of graduates of the institution in general
3 two and five years after graduation,
4 disaggregated by—

5 “(I) specific program; and

6 “(II) individuals using educational as-
7 sistance under laws administered by the
8 Secretary and individuals who are not; and

9 “(xix) the number of individuals using edu-
10 cational assistance under laws administered by
11 the Secretary who are enrolled in the both the
12 institution and specific program per year.”.

13 (5) CLARITY AND ANONYMITY OF INFORMATION
14 PROVIDED.—Paragraph (2) of such subsection is
15 amended—

16 (A) by inserting “(A)” before “To the ex-
17 tent”; and

18 (B) by adding at the end the following new
19 subparagraph:

20 “(B) The Secretary shall ensure that information
21 provided pursuant to subsection (b)(5) is provided in a
22 manner that is easy for, and accessible to, individuals de-
23 scribed in subsection (a).

24 “(C) In providing information pursuant to subsection
25 (b)(5), the Secretary shall maintain the anonymity of indi-

1 viduals described in subsection (a) and, to the extent that
2 a portion of any data would undermine such anonymity,
3 ensure that such data is not made available pursuant to
4 such subsection.”.

5 (c) IMPROVEMENTS FOR STUDENT FEEDBACK.—

6 (1) IN GENERAL.—Subsection (b)(2) of such
7 section is amended—

8 (A) by amending subparagraph (A) to read
9 as follows:

10 “(A) provides institutions of higher learn-
11 ing—

12 “(i) up to 30 days to review and re-
13 spond to feedback from individuals de-
14 scribed in subsection (a) and address
15 issues regarding the feedback before the
16 feedback is published; and

17 “(I) if an institution of higher learn-
18 ing contests the accuracy of the feedback,
19 the opportunity to challenge the inclusion
20 of such data with an official appointed by
21 the Secretary;”;

22 (B) in subparagraph (B), by striking
23 “and” at the end;

24 (C) in subparagraph (C), by striking “that
25 conforms with criteria for relevancy that the

1 Secretary shall determine.” and inserting “,
2 and responses from institutions of higher learn-
3 ing to such feedback, that conform with criteria
4 for relevancy that the Secretary shall deter-
5 mine;”; and

6 (D) by adding at the end the following new
7 subparagraphs:

8 “(D) for each institution of higher learning
9 that is approved under this chapter, retains,
10 maintains, and publishes all of such feedback
11 for not less than six years; and

12 “(E) is easily accessible to individuals de-
13 scribed in subsection (a) and to the general
14 public.”.

15 (2) ACCESSIBILITY FROM G.I. BILL COMPARISON
16 TOOL.—The Secretary shall ensure that—

17 (A) the feedback tracked and published
18 under subsection (b)(2) of such section, as
19 amended by paragraph (1), is prominently dis-
20 played in the tool maintained under subsection
21 (a) of this section; and

22 (B) when such tool displays information
23 for an institution of higher learning, the appli-
24 cable feedback is also displayed for such institu-
25 tion of higher learning.

1 (d) TRAINING FOR PROVISION OF EDUCATION COUN-
2 SELING SERVICES.—

3 (1) IN GENERAL.—Not less than one year after
4 the date of the enactment of this Act, the Secretary
5 shall ensure that personnel employed by the Depart-
6 ment of Veteran Affairs, or a contractor of the De-
7 partment, to provide education benefits counseling,
8 vocational or transition assistance, or similar func-
9 tions, including employees or contractors of the De-
10 partment who provide such counseling or assistance
11 as part of the Transition Assistance Program, are
12 trained on how—

13 (A) to use properly the tool maintained
14 under subsection (a); and

15 (B) to provide appropriate educational
16 counseling services to individuals described in
17 section 3698(a) of such title, as amended by
18 subsection (b)(3)(A).

19 (2) TRANSITION ASSISTANCE PROGRAM DE-
20 FINED.—In this subsection, the term “Transition
21 Assistance Program” means the program of coun-
22 seling, information, and services under section 1142
23 of title 10, United States Code.

1 **Subtitle B—Employment and**
2 **Training**

3 **SEC. 221. IMPROVEMENTS TO REEMPLOYMENT RIGHTS OF**
4 **MEMBERS OF THE ARMED FORCES.**

5 (a) **USERRA PURPOSES.**—Section 4301(a)(1) of
6 title 38, United States Code, is amended by striking “en-
7 courage noncareer service in the uniformed services” and
8 inserting “encourage service in the uniformed services”.

9 (b) **PROHIBITION OF RETALIATION.**—Subsection (b)
10 of section 4311 of title 38, United States Code, is amend-
11 ed by inserting “or other retaliatory action” after “em-
12 ployment action”.

13 (c) **EXPANSION OF INJUNCTIVE RELIEF.**—Sub-
14 section (e) of section 4323 of such title is amended—

15 (1) by striking “The court shall use” and in-
16 serting “(1) The court shall use”; and

17 (2) by adding at the end the following new
18 paragraphs:

19 “(2) A person bringing an action to enforce a provi-
20 sion of this chapter pursuant to subsection (a) shall be
21 entitled to an injunction under paragraph (1) if such per-
22 son demonstrates—

23 “(A) a violation—

24 “(i) of the provisions of this chapter; or

1 “(ii) of the provisions of this chapter is
2 threatened or is imminent;

3 “(B) the harm to the person outweighs the in-
4 jury to the employer;

5 “(C) a likelihood of success on the merits of
6 such action; and

7 “(D) awarding such relief is in the public inter-
8 est.

9 “(3) The court may not deny a motion for injunctive
10 relief on the basis that a party bringing an action to en-
11 force a provision of this chapter may be awarded wages
12 unearned due to an unlawful termination or denial of em-
13 ployment at the conclusion of such action.”.

14 (d) DAMAGES AGAINST A STATE OR PRIVATE EM-
15 PLOYER.—Section 4323 of such title is further amended,
16 in paragraph (1) of subsection (d), by striking subpara-
17 graph (C) and inserting the following new subparagraphs:

18 “(C) The court may require the employer to
19 pay the person the amount referred to in subpara-
20 graph (B) and interest on such amount, calculated
21 at a rate of 3 percent per year.

22 “(D) The court may require the employer to
23 pay the person the greater of \$50,000 or the amount
24 equal to the amounts referred to in subparagraphs
25 (B) and (C) as liquidated damages, if the court de-

1 termines that the employer knowingly failed to com-
2 ply with the provisions of this chapter.”.

3 (e) MANDATORY ATTORNEY FEES AWARD IN SUC-
4 CESSFUL ACTIONS FOR REEMPLOYMENT.—

5 (1) MSPB ACTIONS.—Paragraph (4) of sub-
6 section (c) of section 4324 of such title is amend-
7 ed—

8 (A) by striking “may, in its discretion,”
9 and inserting “shall”; and

10 (B) by adding at the end the following new
11 sentence: “The Board may, in its discretion,
12 award reasonable attorney fees in a case settled
13 before the issuance of an order if the person
14 can demonstrate that significant attorney fees
15 were incurred and that justice requires such an
16 award.”.

17 (2) FEDERAL CIRCUIT ACTIONS.—Subsection
18 (d) of such section is amended by adding at the end
19 the following new paragraph:

20 “(3) In such Federal Circuit proceeding, the court
21 shall award such person reasonable attorney fees, expert
22 witness fees, and other litigation expenses if such person—

23 “(A) prevails in such Federal Circuit pro-
24 ceeding; and

1 “(B) is not represented by the Special Counsel
2 in such Federal Circuit proceeding.”.

3 (3) ACTIONS AGAINST A STATE OR PRIVATE EM-
4 PLOYER.—Paragraph (2) of section 4323(h) of such
5 title is amended—

6 (A) by striking “subsection (a)(2)” and in-
7 serting “subsection (a)(3)”; and

8 (B) by striking “the court may award any
9 such person who prevails in such action or pro-
10 ceeding reasonable attorney fees” and inserting
11 “the court shall award any such person who
12 prevails in such action or proceeding reasonable
13 attorney fees”.

14 (f) GAO REVIEW AND REPORT ON USERRA.—

15 (1) REVIEW.—The Comptroller General of the
16 United States shall review the methods through
17 which the Secretary of Labor, acting through the
18 Veterans’ Employment and Training Service, proc-
19 esses actions for relief under chapter 43 of title 38,
20 United States Code.

21 (2) ELEMENTS.—Not later than one year after
22 the date of the enactment of this Act, the Comp-
23 troller General shall submit to the Committees on
24 Veterans’ Affairs of the House of Representatives
25 and the Senate a report that includes—

1 (A) the findings of the review required
2 under paragraph (1);

3 (B) an identification of the number of ac-
4 tions for relief under chapter 43 of title 38,
5 United States Code, initiated during the period
6 covered by the report, disaggregated by size of
7 employer and geographic region;

8 (C) an identification of the number of such
9 actions for relief that were erroneously dis-
10 missed, as determined by the Comptroller Gen-
11 eral;

12 (D) an identification of the number of such
13 actions for relief that were referred to the De-
14 partment of Justice; and

15 (E) an assessment of trends, if any, in
16 such actions for relief initiated during such pe-
17 riod.

18 (g) GAO REVIEW OF PROTECTIONS FOR MEMBERS
19 OF THE UNIFORMED SERVICES BY FEDERAL INTEL-
20 LIGENCE AGENCIES.—

21 (1) IN GENERAL.—Not later than one year
22 after the date of the enactment of this Act, the
23 Comptroller General of the United States shall sub-
24 mit to the appropriate congressional committees a
25 report on the processes and procedures adopted and

1 used by the intelligence community to provide the
2 protections for members of the uniformed services
3 otherwise established under chapter 43 of title 38,
4 United States Code.

5 (2) DEFINITIONS.—In this subsection:

6 (A) The term “appropriate congressional
7 committees” means the Committees on Vet-
8 erans’ Affairs of the House of Representatives
9 and Senate, the Permanent Select Committee
10 on Intelligence of the House of Representatives,
11 and the Select Committee on Intelligence of the
12 Senate.

13 (B) The term “intelligence community”
14 has the meaning given such term in section
15 3(4) of the National Security Act of 1947 (50
16 U.S.C. 3003(4)).

17 **SEC. 222. REVIEW OF INVESTIGATIONS MANUAL OF VET-**
18 **ERANS’ EMPLOYMENT AND TRAINING SERV-**
19 **ICE.**

20 (a) IN GENERAL.—Not later than one year after the
21 date of the enactment of this Act, and once every two
22 years thereafter for the period of five years beginning on
23 such date, the Secretary of Labor, shall review the manual
24 of the Department of Labor titled “Veterans’ Employment
25 and Training Service Investigations Manual: USERRA,

1 VEOA, and VP” (or a successor manual) and make such
2 revisions to such manual as the Secretary determines ap-
3 propriate.

4 (b) REPORT.—Not later than 90 days after any date
5 on which the Secretary completes a review required under
6 subsection (a), the Secretary shall submit to the Commit-
7 tees on Veterans’ Affairs of the House of Representatives
8 and the Senate—

9 (1) a report that includes a description of any
10 revision to such manual made pursuant to such re-
11 view; and

12 (2) a copy of the entire such manual which—

13 (A) shall be provided to the Chairman and
14 Ranking Member of each such committee; and

15 (B) may contain a separate addendum for
16 portions of the manual that contain law en-
17 forcement sensitive materials.

18 **SEC. 223. WARRIOR TRAINING ADVANCEMENT COURSE.**

19 (a) REPORTING ON THE WARRIOR TRAINING AD-
20 VANCEMENT COURSE.—

21 (1) REPORTS REQUIRED.—

22 (A) INITIAL REPORT.—Not later than six
23 months after the date of the enactment of this
24 Act, the Secretary of Veterans Affairs shall
25 submit to the Committees on Veterans’ Affairs

1 of the Senate and House of Representatives a
2 report on WARTAC.

3 (B) ANNUAL REPORT.—One year after the
4 submission of the report required under para-
5 graph subparagraph (A) and annually there-
6 after, the Secretary shall submit to such Com-
7 mittees a report that contains the elements
8 under subparagraphs (A) and (C) of paragraph
9 (2) with regards to the preceding year.

10 (2) ELEMENTS.—Except as provided in para-
11 graph (1)(B), the reports under this subsection shall
12 include the following elements:

13 (A) BEST PRACTICES.—With regards to
14 best practices of WARTAC—

15 (i) how many covered members have
16 applied to participate in WARTAC;

17 (ii) how many covered members have
18 participated in WARTAC;

19 (iii) how the Secretary provides train-
20 ing to covered members during TAP;

21 (iv) how many covered members have
22 completed WARTAC; and

23 (v) any other information the Sec-
24 retary determines appropriate.

1 (B) COST SAVINGS.—With regards to cost
2 savings of WARTAC—

3 (i) how much money the Secretary de-
4 termines WARTAC saves the United
5 States each fiscal year;

6 (ii) how much money the Secretary
7 determines WARTAC has saved the
8 United States since its establishment; and

9 (iii) the determination of the Sec-
10 retary whether other Federal agencies may
11 save money by establishing a program
12 similar to WARTAC.

13 (C) HIRING.—With regards to hiring cov-
14 ered members who complete WARTAC—

15 (i) how the Secretary identifies posi-
16 tions in the Department of Veterans Af-
17 fairs for which such covered members may
18 qualify;

19 (ii) the grades of such positions on
20 the General Schedule under section 5332
21 of title 5, United States Code; and

22 (iii) how many such covered members
23 the Secretary has hired to such positions.

24 (3) DISTRIBUTION.—Not later than 30 days
25 after submitting the report under paragraph (1)(A),

1 the Secretary of Veterans Affairs shall transmit a
2 copy of the report under this section to the head of
3 each Federal agency.

4 (4) DEFINITIONS.—In this subsection:

5 (A) The term “covered member” means
6 members of the Armed Forces participating in
7 TAP.

8 (B) The term “TAP” means the Transi-
9 tion Assistance Program under sections 1142
10 and 1144 of title 10, United States Code.

11 (C) The term “WARTAC” means the
12 Warrior Training Advancement Course of the
13 Veterans Benefit Administration, in which the
14 Secretary provides training to covered members
15 so such covered members may qualify for cer-
16 tain employment in the Veterans Benefit Ad-
17 ministration.

18 (b) PILOT PROGRAM TO EMPLOY VETERANS IN POSI-
19 TIONS RELATING TO CONSERVATION AND RESOURCE
20 MANAGEMENT ACTIVITIES.—

21 (1) BEST PRACTICES FOR OTHER DEPART-
22 MENTS.—The Assistant Secretary of Labor for Vet-
23 erans’ Employment and Training, in consultation
24 with the Secretary of Veterans Affairs, shall estab-
25 lish guidelines containing best practices for depart-

1 ments and agencies of the Federal Government that
2 carry out programs to employ veterans who are
3 transitioning from service in the Armed Forces.
4 Such guidelines shall include the findings of the ini-
5 tial report required under subsection (a)(1).

6 (2) PILOT PROGRAM.—

7 (A) ESTABLISHMENT.—The Secretary of
8 the Interior, in consultation with the Assistant
9 Secretary of Labor for Veterans' Employment
10 and Training and the Secretary of Veterans Af-
11 fairs, shall establish a pilot program under
12 which veterans are employed by the Federal
13 Government in positions that relate to the con-
14 servation and resource management activities of
15 the Department of the Interior.

16 (B) COMMENCEMENT.—The Secretary of
17 the Interior shall commence the pilot program
18 at least 60, but not more than 180, days after
19 the date of the submission of the report re-
20 quired under subsection (a)(1)(A).

21 (C) POSITIONS.—The Secretary of the In-
22 terior shall—

23 (i) identify vacant positions in the De-
24 partment of the Interior that are appro-
25 priate to fill using the pilot program; and

1 (ii) to the extent practicable, fill such
2 positions using the pilot program.

3 (D) APPLICATION OF CIVIL SERVICE
4 LAWS.—A veteran employed under the pilot
5 program shall be treated as an employee as de-
6 fined by section 2105 of title 5, United States
7 Code.

8 (E) BRIEFINGS AND REPORT.—

9 (i) INITIAL BRIEFING.—Not later
10 than 60 days after the date of the submis-
11 sion of the report required under sub-
12 section (a)(1)(A), the Secretary of the In-
13 terior and the Assistant Secretary of Labor
14 for Veterans' Employment and Training
15 shall jointly provide to the appropriate con-
16 gressional committees a briefing on the
17 pilot program under this subsection, which
18 shall include a description of how the pilot
19 program will be carried out in a manner to
20 reduce the unemployment of veterans.

21 (ii) IMPLEMENTATION BRIEFING.—
22 Not later than one year after the date on
23 which the pilot program under this para-
24 graph commences, the Secretary of the In-
25 terior and the Assistant Secretary of Labor

1 for Veterans' Employment and Training
2 shall jointly provide to the appropriate con-
3 gressional committees a briefing on the im-
4 plementation of the pilot program.

5 (iii) FINAL REPORT.—Not later than
6 30 days after the date on which the pilot
7 program under this paragraph is com-
8 pleted, the Secretary of the Interior and
9 the Assistant Secretary of Labor for Vet-
10 erans' Employment and Training shall
11 jointly submit to the appropriate congres-
12 sional committees a report on the pilot
13 program that includes the following:

14 (I) The number of veterans who
15 applied to participate in the pilot pro-
16 gram.

17 (II) The number of such veterans
18 employed under the pilot program.

19 (III) The number of veterans
20 identified in subclause (II) who
21 transitioned to full-time positions with
22 the Federal Government after partici-
23 pating in the pilot program.

1 (IV) Recommendations with re-
2 spect to extending the pilot or making
3 the program permanent.

4 (V) Any other information the
5 Secretary and the Assistant Secretary
6 determine appropriate with respect to
7 measuring the effectiveness of the
8 pilot program.

9 (F) DURATION.—The authority to carry
10 out the pilot program under this paragraph
11 shall terminate on the date that is two years
12 after the date on which the pilot program com-
13 mences.

14 (3) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES DEFINED.—In this subsection, the term “ap-
16 propriate congressional committees” means—

17 (A) the Committee on Veterans’ Affairs
18 and the Committee on Natural Resources of the
19 House of Representatives; and

20 (B) the Committee on Veterans’ Affairs
21 and the Committee on Energy and Natural Re-
22 sources of the Senate.

1 **Subtitle C—Home Loans**

2 **SEC. 231. IMPROVEMENTS TO PROGRAM FOR DIRECT**
3 **HOUSING LOANS MADE TO NATIVE AMER-**
4 **ICAN VETERANS BY THE SECRETARY OF VET-**
5 **ERANS AFFAIRS.**

6 (a) GENERAL AUTHORITIES AND REQUIREMENTS.—

7 (1) DIRECT HOUSING LOANS TO NATIVE AMER-
8 ICAN VETERANS.—Section 3762(a) of title 38,
9 United States Code, is amended to read as follows:

10 “(a) The Secretary may make a direct housing loan
11 to a Native American veteran under this subchapter if the
12 Secretary ensures the following:

13 “(1) That each Native American veteran to
14 whom the Secretary makes a direct housing loan
15 under this subchapter—

16 “(A) holds, possesses, or purchases using
17 the proceeds of the loan a meaningful interest
18 in a lot or dwelling (or both) that is located on
19 trust land; and

20 “(B) will purchase, construct, or improve
21 (as the case may be) a dwelling on the lot using
22 the proceeds of the loan.

23 “(2) That each such Native American veteran
24 will convey to the Secretary by an appropriate in-
25 strument the interest referred to in paragraph

1 (1)(A) as security for a direct housing loan under
2 this subchapter.

3 “(3) That the Secretary, including the Sec-
4 retary’s employees or agents, may enter upon the
5 trust land for the purposes of carrying out such ac-
6 tions as the Secretary determines are necessary, in-
7 cluding—

8 “(A) to evaluate the advisability of the
9 loan;

10 “(B) to monitor any purchase, construc-
11 tion, or improvements carried out using the
12 proceeds of the loan; and

13 “(C) to manage any servicing or post-fore-
14 closure activities, including acquisition, property
15 inspections, and property management.

16 “(4) That there are established standards and
17 procedures that apply to the foreclosure of the inter-
18 est conveyed by a Native American veteran pursuant
19 to paragraph (2), including—

20 “(A) procedures for foreclosing the inter-
21 est; and

22 “(B) procedures for the resale of the lot or
23 dwelling (or both) purchased, constructed, or
24 improved using the proceeds of the loan.

1 “(5) That the loan is made in a responsible and
2 prudent manner, subject to standards and proce-
3 dures as are necessary for the reasonable protection
4 of the financial interests of the United States.”.

5 (2) MEMORANDUMS OF UNDERSTANDING,
6 AGREEMENTS, AND DETERMINATIONS.—Section
7 3762(b) of such title is amended to read as follows:

8 “(b)(1) To carry out the purpose of subsection (a),
9 the Secretary may—

10 “(A) enter into a memorandum of under-
11 standing with a tribal organization, other entity, or
12 individual;

13 “(B) rely on agreements or determinations of
14 other Federal agencies to guarantee, insure, or make
15 loans on trust land; and

16 “(C) enter into other agreements or take such
17 other actions as the Secretary determines necessary.

18 “(2) If the Secretary determines that the require-
19 ments under subsection (a) are not being enforced by a
20 tribal organization, other entity, or individual that is a
21 party to any memorandum of understanding, agreement,
22 or determination described in paragraph (1), the Secretary
23 may cease making new direct housing loans to Native
24 American veterans under this subchapter within the area

1 of the authority of the tribal organization, other entity,
2 or individual (as the case may be).”.

3 (b) DIRECT LOANS TO NATIVE AMERICAN VETERANS
4 TO REFINANCE EXISTING MORTGAGE LOANS.—Section
5 3762(h) of such title is amended to read as follows:

6 “(h) The Secretary may make direct loans to Native
7 American veterans in order to enable such veterans to refi-
8 nance existing mortgage loans for any of the following
9 purposes:

10 “(1) To refinance an existing loan made under
11 this section, if the loan—

12 “(A) meets the requirements set forth in
13 subparagraphs (B), (C), and (E) of paragraph
14 (1) of section 3710(e) of this title;

15 “(B) will bear an interest rate at least one
16 percentage point less than the interest rate
17 borne by the loan being refinanced; and

18 “(C) complies with paragraphs (2) and (3)
19 of section 3710(e) of this title, except that for
20 the purposes of this subsection the reference to
21 subsection (a)(8) of section 3710 of this title in
22 such paragraphs (2) and (3) shall be deemed to
23 be a reference to this subsection.

24 “(2) To refinance an existing mortgage loan not
25 made under this section on a dwelling owned and oc-

1 cupied by the veteran as the veteran's home, if all
2 of the following requirements are met:

3 “(A) The loan will be secured by the same
4 dwelling as was the loan being refinanced.

5 “(B) The loan will provide the veteran with
6 a net tangible benefit.

7 “(C) The nature and condition of the prop-
8 erty is such as to be suitable for dwelling pur-
9 poses.

10 “(D) The amount of the loan does not ex-
11 ceed either of the following:

12 “(i) 100 percent of the reasonable
13 value of the dwelling, with such reasonable
14 value determined under the procedures es-
15 tablished by the Secretary under sub-
16 section (d)(2).

17 “(ii) An amount equal to the sum of
18 the balance of the loan being refinanced
19 and such closing costs (including any dis-
20 count points) as may be authorized by the
21 Secretary to be included in the loan.

22 “(E) Notwithstanding subparagraph (D),
23 if a loan is made for both the purpose of this
24 paragraph and to make energy efficiency im-

1 provements, the loan must not exceed either of
2 the following:

3 “(i) 100 percent of the reasonable
4 value of the dwelling as improved for en-
5 ergy efficiency, with such reasonable value
6 determined under the procedures estab-
7 lished by the Secretary under subsection
8 (d)(2).

9 “(ii) The amount referred to under
10 subparagraph (D)(ii), plus the applicable
11 amount specified under section 3710(d)(2)
12 of this title.

13 “(F) The loan meets all other require-
14 ments the Secretary may establish under this
15 subchapter.

16 “(G) The existing mortgage being refi-
17 nanced is a first lien on the property and se-
18 cured of record.

19 “(3) To refinance an existing mortgage loan to
20 repair, alter, or improve a dwelling owned by the
21 veteran and occupied by the veteran as the veteran’s
22 home, if all of the following requirements are met:

23 “(A) The loan will be secured by the same
24 dwelling as was the loan being refinanced.

1 “(B) The nature and condition of the
2 property is such as to be suitable for dwelling
3 purposes, and the repair, alteration, or improve-
4 ment substantially protects or improves the
5 basic livability or utility of such property.

6 “(C) The amount of the loan, including the
7 costs of repairs, alterations, and improvements,
8 does not exceed either of the following:

9 “(i) 100 percent of the reasonable
10 value of the dwelling as repaired, altered,
11 or improved, with such reasonable value
12 determined under the procedures estab-
13 lished by the Secretary under subsection
14 (d)(2).

15 “(ii) An amount equal to the sum
16 of—

17 “(I) the balance of the loan being
18 refinanced;

19 “(II) the actual cost of repairs,
20 alterations, or improvements; and

21 “(III) such closing costs (includ-
22 ing any discount points) as may be
23 authorized by the Secretary to be in-
24 cluded in the loan.

1 “(D) The loan meets all other require-
2 ments the Secretary may establish under this
3 subchapter.

4 “(E) The existing mortgage loan being re-
5 financed is a first lien on the property and se-
6 cured of record.”.

7 (c) EXPANSION OF OUTREACH PROGRAM ON AVAIL-
8 ABILITY OF DIRECT HOUSING LOANS FOR NATIVE AMER-
9 ICAN VETERANS.—Section 3762(i)(2) of such title is
10 amended by adding at the end the following new subpara-
11 graph:

12 “(G) Pursuant to subsection (g)(4), assisting
13 Native American veterans in qualifying for mortgage
14 financing by—

15 “(i) partnering with local service providers,
16 such as tribal organizations, tribally designated
17 housing entities, Native community development
18 financial institutions, and nonprofit organiza-
19 tions, for conducting outreach, homebuyer edu-
20 cation, housing counseling, and post-purchase
21 education; and

22 “(ii) providing other technical assistance as
23 needed.

24 “(H) Attending conferences and conventions
25 conducted by the network of Native community de-

1 velopment financial institutions and other Native
2 American homeownership organizations to provide
3 information and training to Native community devel-
4 opment financial institutions about the availability of
5 the relending program under section 3762A of this
6 title.”.

7 (d) ADEQUATE PERSONNEL.—Section 3762 of such
8 title is amended by adding at the end the following new
9 subsection:

10 “(k) The Secretary shall assign a sufficient number
11 of personnel of the Department dedicated to carrying out
12 the authority of the Secretary under this subchapter, in-
13 cluding construction and valuation specialists to assist
14 with issues unique to new construction and renovations
15 on trust land.”.

16 (e) DEFINITIONS.—Section 3765 of such title is
17 amended—

18 (1) in paragraph (1)—

19 (A) by amending subparagraph (C) to read
20 as follows:

21 “(C) is located in the State of Alaska with-
22 in a region established under section 7(a) of the
23 Alaska Native Claims Settlement Act (43
24 U.S.C. 1606(a));”;

1 (B) in subparagraph (D), by striking the
2 period at the end and inserting a semicolon;
3 and

4 (C) by adding at the end the following new
5 subparagraphs:

6 “(E) is defined by the Secretary of the In-
7 terior and recognized by the United States as
8 land over which an Indian Tribe has govern-
9 mental dominion; or

10 “(F) is on any land that the Secretary de-
11 termines is provided to Native American vet-
12 erans because of their status as Native Ameri-
13 cans.”; and

14 (2) by adding at the end the following new
15 paragraphs:

16 “(6) The term ‘community development finan-
17 cial institution’ has the meaning given that term in
18 section 103 of the Community Development Banking
19 and Financial Institutions Act of 1994 (12 U.S.C.
20 4702).

21 “(7) The term ‘Indian Tribe’ means any Indian
22 tribe, band, nation, or other organized group or com-
23 munity, including any Alaska Native village or re-
24 gional or village corporation as defined in or estab-
25 lished pursuant to the Alaska Native Claims Settle-

1 ment Act (43 U.S.C. 1601 et seq.), which is recog-
2 nized as eligible for the special programs and serv-
3 ices provided by the United States to Indians be-
4 cause of their status as Indians.

5 “(8) The term ‘Native community development
6 financial institution’ means any entity—

7 “(A) that has been certified as a commu-
8 nity development financial institution by the
9 Secretary of the Treasury;

10 “(B) that is not less than 51 percent
11 owned or controlled by Native Americans; and

12 “(C) for which not less than 51 percent of
13 the activities of the entity serve Native Ameri-
14 cans.

15 “(9) The term ‘net tangible benefit’ shall have
16 such meaning as the Secretary determines appro-
17 priate, but shall include the refinance of an interim
18 construction loan.

19 “(10) The term ‘other technical assistance’
20 means services to assist a Native American veteran
21 to navigate the steps necessary for securing a mort-
22 gage loan on trust land, including pre-development
23 activities related to utilities, identifying appropriate
24 residential construction services, and obtaining lease
25 clearances and title status reports from the applica-

1 ble tribal organization or the Bureau of Indian Af-
2 fairs.

3 “(11) The term ‘tribally designated housing en-
4 tity’ has the meaning given that term in section 4
5 of the Native American Housing Assistance and
6 Self-Determination Act of 1996 (25 U.S.C. 4103).”.

7 (f) INTEREST RATE REDUCTION FINANCING
8 LOAN.—Section 3729(b)(4)(F) of such title is amended
9 by striking “3762(h)” and inserting “3762(h)(1)”.

10 (g) REGULATIONS.—Section 3761 of such title is
11 amended by adding at the end the following new sub-
12 section:

13 “(c) The Secretary shall prescribe such regulations
14 as may be necessary to carry out this subchapter.”.

15 **SEC. 232. NATIVE COMMUNITY DEVELOPMENT FINANCIAL**
16 **INSTITUTION RELENDING PROGRAM.**

17 (a) IN GENERAL.—Subchapter V of chapter 37 of
18 title 38, United States Code, is amended by inserting after
19 section 3762 the following new section:

20 **“§ 3762A. Native community development financial**
21 **institution relending program**

22 “(a) PURPOSE.—The Secretary may make a loan to
23 a Native community development financial institution for
24 the purpose of allowing the institution to relend loan

1 amounts to qualified Native American veterans, subject to
2 the requirements of this section.

3 “(b) STANDARDS.—(1) The Secretary shall establish
4 standards to be used in evaluating whether to make a loan
5 to a Native community development financial institution
6 under this section.

7 “(2) In establishing standards under paragraph (1),
8 the Secretary shall ensure that a Native community devel-
9 opment financial institution—

10 “(A) is able to originate and service loans for
11 single-family homes;

12 “(B) is able to operate the relending program
13 in a manner consistent with the mission of the De-
14 partment to serve veterans; and

15 “(C) uses loan amounts received under this sec-
16 tion only for the purpose of relending, as described
17 in subsection (c), to Native American veterans.

18 “(c) RELENDING REQUIREMENTS.—(1) A Native
19 community development financial institution that receives
20 a loan under this section shall use the loan amounts to
21 make loans to Native American veterans residing on trust
22 land.

23 “(2) A loan to a Native American veteran made by
24 a Native community development financial institution
25 under paragraph (1) shall—

1 “(A) be limited either to the purpose of pur-
2 chase, construction, or improvement of a dwelling lo-
3 cated on trust land or to the refinance of an existing
4 mortgage loan for a dwelling on trust land, con-
5 sistent with the requirements of section 3762(h) of
6 this title; and

7 “(B) comply with such terms and conditions as
8 the Secretary determines are necessary to protect
9 against predatory lending, including the interest rate
10 charged on a loan to a Native American veteran.

11 “(d) REPAYMENT.—A loan made to a Native commu-
12 nity development financial institution under this section
13 shall—

14 “(1) be payable to the Secretary upon such
15 terms and conditions as are prescribed in regulations
16 pursuant to this subchapter; and

17 “(2) bear interest at a rate of one percent.

18 “(e) OVERSIGHT.—Subject to notice and opportunity
19 for a hearing, whenever the Secretary finds with respect
20 to loans made under subsection (a) or (c) that any Native
21 community development financial institution has failed to
22 maintain adequate loan accounting records, to dem-
23 onstrate proper ability to service loans adequately, or to
24 exercise proper credit judgment, or that such Native com-
25 munity development financial institution has willfully or

1 negligently engaged in practices otherwise detrimental to
2 the interest of veterans or of the Government, the Sec-
3 retary may take such actions as the Secretary determines
4 necessary to protect veterans or the Government, such as
5 requiring immediate repayment of any loans made under
6 subsection (a) and the assignment to the Secretary of
7 loans made under subsection (c).

8 “(f) SUNSET.—The Secretary may not make a loan
9 under this section after September 30, 2026.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of chapter 37 of such title is amended
12 by inserting after the item relating to section 3762 the
13 following new item:

“3762A. Native community development financial institution relending pro-
gram.”.

14 (c) NATIVE AMERICAN VETERAN HOUSING LOAN
15 PROGRAM ACCOUNT.—Section 3763 of such title is
16 amended by adding at the end the following new sub-
17 section:

18 “(c) Of amounts available in the Account, the Sec-
19 retary may use for loans made under section 3762A of
20 this title—

21 “(1) in fiscal year 2024, not more than
22 \$5,000,000; and

1 “(2) in any fiscal year after fiscal year 2024,
2 an amount determined necessary by the Secretary to
3 meet the demand for such loans.”.

4 **TITLE III—DISABILITY AND**
5 **MEMORIAL AFFAIRS MATTERS**

6 **SEC. 301. BURIAL ALLOWANCE FOR CERTAIN VETERANS**
7 **WHO DIE AT HOME WHILE IN RECEIPT OF**
8 **HOSPICE CARE FURNISHED BY DEPARTMENT**
9 **OF VETERANS AFFAIRS.**

10 (a) IN GENERAL.—The Secretary of Veterans Affairs
11 shall treat a veteran described in subsection (b) as a vet-
12 eran described in subparagraph (A) of section 2303(a)(2)
13 of title 38, United States Code.

14 (b) VETERAN DESCRIBED.—A veteran described in
15 this subsection is a veteran who dies in a home or other
16 setting at which the deceased veteran was, at the time of
17 death, receiving hospice care pursuant to section 1717(a)
18 of such title if such care was directly preceded by the Sec-
19 retary furnishing to the veteran hospital care or nursing
20 home care described in clause (ii) of such subparagraph.

21 (c) EFFECTIVE DATE; APPLICABILITY.—This section
22 shall apply with respect to deaths that occur—

23 (1) on or after the date that is 180 days after
24 the date of the enactment of this Act; and

25 (2) before October 1, 2026.

1 **SEC. 302. AUTHORITY FOR SECRETARY OF VETERANS AF-**
2 **FAIRS TO AWARD GRANTS TO STATES AND IN-**
3 **DIAN TRIBES TO IMPROVE OUTREACH TO**
4 **VETERANS.**

5 (a) IN GENERAL.—Chapter 63 of title 38, United
6 States Code, is amended—

7 (1) by redesignating sections 6307 and 6308 as
8 sections 6308 and 6309, respectively; and

9 (2) by inserting after section 6306 the following
10 new section 6307:

11 **“§ 6307. Grants to States and Indian Tribes to im-**
12 **prove outreach to veterans**

13 “(a) PURPOSE.—It is the purpose of this section to
14 provide for assistance by the Secretary to States and In-
15 dian Tribes to carry out programs that improve covered
16 outreach and assistance to veterans and the spouses, chil-
17 dren, and parents of veterans, to ensure that such individ-
18 uals are fully informed about, and assisted in applying for,
19 any veterans and veterans-related benefits and programs
20 (including veterans programs of a State or Indian Tribe)
21 for which they may be eligible and facilitate opportunities
22 for such individuals to receive competent, qualified serv-
23 ices in the preparation, presentation and prosecution of
24 veterans benefits claims.

25 “(b) AUTHORITY.—The Secretary may award grants
26 to States and Indian Tribes—

1 “(1) to carry out, coordinate, improve, or other-
2 wise enhance—

3 “(A) covered outreach activities; or

4 “(B) activities to assist in the development
5 and submittal of claims for veterans and vet-
6 erans-related benefits; or

7 “(2) to increase the number of county or Tribal
8 veterans service officers serving in the State by hir-
9 ing new, additional such officers.

10 “(c) APPLICATION.—(1) To be eligible for a grant
11 under this section, a State or Indian Tribe shall submit
12 to the Secretary an application therefor at such time, in
13 such manner, and containing such information as the Sec-
14 retary may require.

15 “(2) Each application submitted under paragraph (1)
16 shall include the following:

17 “(A) A detailed plan for the use of the grant.

18 “(B) A description of the programs through
19 which the State or Indian Tribe will meet the out-
20 come measures developed by the Secretary under
21 subsection (j).

22 “(C) A description of how the State or Indian
23 Tribe will distribute grant amounts equitably among
24 counties or Tribal lands with varying levels of urban-
25 ization.

1 “(D) A plan for how the grant will be used to
2 meet the unique needs of American Indian veterans,
3 Alaska Native veterans, or Native Hawaiian vet-
4 erans, elderly veterans, and veterans from other un-
5 derserved communities.

6 “(d) DISTRIBUTION.—The Secretary shall seek to en-
7 sure that grants awarded under this section are equitably
8 distributed among States and Indian Tribes with varying
9 levels of urbanization.

10 “(e) SET-ASIDE.—Of the amounts authorized to be
11 appropriated or otherwise made available for grants under
12 this section for any fiscal year, the Secretary shall ensure
13 that not less than five percent is used to make grants to
14 Indian Tribes.

15 “(f) PRIORITY.—The Secretary shall prioritize
16 awarding grants under this section that will serve the fol-
17 lowing areas:

18 “(1) Areas with a critical shortage of county or
19 Tribal veterans service officers.

20 “(2) Areas with high rates of—

21 “(A) suicide among veterans; or

22 “(B) referrals to the Veterans Crisis Line.

23 “(g) USE OF COUNTY OR TRIBAL VETERANS SERV-
24 ICE OFFICERS.—A State or Indian Tribe that receives a

1 grant under this section to carry out an activity described
2 in subsection (b)(1) shall carry out the activity through—

3 “(1) a county or Tribal veterans service officer
4 of the State; or

5 “(2) if the State or Indian Tribe does not have
6 a county or Tribal veterans service officer, or if the
7 county or Tribal veterans service officers of the
8 State or Indian Tribe cover only a portion of that
9 State or Indian Tribe, an appropriate entity of a
10 State, local, or Tribal government, as determined by
11 the Secretary.

12 “(h) REQUIRED ACTIVITIES.—Any grant awarded
13 under this section shall be used—

14 “(1) to expand existing programs, activities,
15 and services;

16 “(2) to hire new, additional county or Tribal
17 veterans service officers; or

18 “(3) for travel and transportation to facilitate
19 carrying out paragraph (1) or (2).

20 “(i) AUTHORIZED ACTIVITIES.—A grant under this
21 section may be used to provide education and training, in-
22 cluding on-the-job training, for State, county, local, and
23 Tribal government employees who provide (or when
24 trained will provide) covered outreach services in order for

1 those employees to obtain accreditation in accordance with
2 procedures approved by the Secretary.

3 “(j) OUTCOME MEASURES.—(1) The Secretary shall
4 develop and provide to each State or Indian Tribe that
5 receives a grant under this section written guidance on
6 the following:

7 “(A) Outcome measures.

8 “(B) Policies of the Department.

9 “(2) In developing outcome measures under para-
10 graph (1), the Secretary shall consider the following goals:

11 “(A) Increasing the use of veterans and vet-
12 erans-related benefits, particularly among vulnerable
13 populations.

14 “(B) Increasing the number of county and
15 Tribal veterans service officers recognized by the
16 Secretary for the representation of veterans under
17 chapter 59 of this title.

18 “(k) TRACKING REQUIREMENTS.—(1) With respect
19 to each grant awarded under this section, the Secretary
20 shall track the use of veterans and veterans-related bene-
21 fits among the population served by the grant, including
22 the average period of time between the date on which a
23 veteran applies for such a benefit and the date on which
24 the veteran receives the benefit, disaggregated by type of
25 benefit.

1 “(2) Not less frequently than annually during the life
2 of the grant program established under this section, the
3 Secretary shall submit to Congress a report on—

4 “(A) the information tracked under paragraph
5 (1);

6 “(B) how the grants awarded under this section
7 serve the unique needs of American Indian veterans,
8 Alaska Native veterans, or Native Hawaiian vet-
9 erans, elderly veterans, and veterans from other un-
10 derserved communities; and

11 “(C) other information provided by States and
12 Indian Tribes pursuant to the grant reporting re-
13 quirements.

14 “(1) PERFORMANCE REVIEW.—The Secretary shall—

15 “(1) review the performance of each State or
16 Indian Tribe that receives a grant under this sec-
17 tion; and

18 “(2) make information regarding such perform-
19 ance publicly available.

20 “(m) REMEDIATION PLAN.—(1) In the case of a
21 State or Indian Tribe that receives a grant under this sec-
22 tion and does not meet the outcome measures developed
23 by the Secretary under subsection (j), the Secretary shall
24 require the State or Indian Tribe to submit a remediation

1 plan under which the State shall describe how and when
2 it plans to meet such outcome measures.

3 “(2) The Secretary may not award a subsequent
4 grant under this section to a State or Indian Tribe de-
5 scribed in paragraph (1) unless the Secretary approves the
6 remediation plan submitted by the State or Indian Tribe.

7 “(n) DEFINITIONS.—In this section:

8 “(1) The term ‘county or Tribal veterans serv-
9 ice officer’ includes a local equivalent veterans serv-
10 ice officer.

11 “(2) The term ‘covered outreach’ means out-
12 reach with respect to—

13 “(A) benefits administered by the Under
14 Secretary for Benefits; or

15 “(B) similar benefits administered by a
16 State or Indian Tribe.

17 “(3) The term ‘Indian Tribe’ has the meaning
18 given such term in section 4 of the Indian Self-De-
19 termination and Education Assistance Act (25
20 U.S.C. 5304).

21 “(4) The term ‘State’ includes the District of
22 Columbia, the Commonwealth of Puerto Rico, the
23 Commonwealth of the Northern Mariana Islands,
24 and any territory or possession of the United States.

1 “(5) The term ‘Veterans Crisis Line’ means the
2 toll-free hotline for veterans established under sec-
3 tion 1720F(h) of this title.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of chapter 63 of such title is amended
6 by striking the items relating to sections 6307 and 6308
7 and inserting the following new items:

“6307. Grants to States and Indian Tribes to improve outreach to veterans

“6308. Outreach for eligible dependents

“6309. Biennial report to Congress”.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to the Secretary of Veterans
10 Affairs for each of fiscal years 2025 and 2026,
11 \$10,000,000 to carry out section 6307 of title 28, United
12 States Code, as added by subsection (a).

13 **SEC. 303. DEFINITION OF SURVIVING SPOUSE.**

14 Paragraph (3) of section 101 of title 38, United
15 States Code, is amended to read as follows:

16 “(3) The term ‘surviving spouse’ means (except for
17 purposes of chapter 19 of this title) a person who was
18 the spouse of a veteran at the time of the veteran’s death,
19 and who lived with the veteran continuously from the date
20 of marriage to the date of the veteran’s death (except
21 where there was a separation which was due to the mis-
22 conduct of, or procured by, the veteran without the fault
23 of the spouse) and who has not remarried.”.

1 **SEC. 304. ENSURING ONLY LICENSED HEALTH CARE PRO-**
2 **FESSIONALS PERFORM MEDICAL DISABILITY**
3 **EXAMINATIONS UNDER CERTAIN DEPART-**
4 **MENT OF VETERANS AFFAIRS PILOT PRO-**
5 **GRAM.**

6 (a) PROHIBITION ON USE OF CERTAIN HEALTH
7 CARE PROFESSIONALS.—Section 504(c)(1) of the Vet-
8 erans’ Benefits Improvements Act of 1996 (Public Law
9 104–275; 38 U.S.C. 5101 note) is amended by inserting
10 “only” before “a health care professional”.

11 (b) REMEDIES.—The Secretary of Veterans Affairs
12 shall take such actions as the Secretary considers appro-
13 priate to ensure compliance with section 504(c) of the Vet-
14 erans’ Benefits Improvements Act of 1996 (Public Law
15 104–275; 38 U.S.C. 5101 note), as amended by subsection
16 (a).

17 (c) ANNUAL REPORT.—Not later than one year after
18 the date of the enactment of this Act and not less fre-
19 quently than once each year thereafter, the Secretary shall
20 submit to the Committee on Veterans’ Affairs of the Sen-
21 ate and the Committee on Veterans’ Affairs of the House
22 of Representatives a report on—

23 (1) the conduct of the pilot program established
24 under section 504 of the Veterans’ Benefits Im-
25 provements Act of 1996 (Public Law 104–275; 38
26 U.S.C. 5101 note); and

1 (2) the actions of the Secretary under sub-
2 section (b).

3 (d) **TECHNICAL CORRECTIONS.**—Section 504 of the
4 Veterans’ Benefits Improvements Act of 1996 (Public
5 Law 104–275; 38 U.S.C. 5101 note) is amended, in the
6 section heading, by striking “**PHYSICIANS**” and inserting
7 “**HEALTH CARE PROFESSIONALS**”.

8 **SEC. 305. PROVISION OF INFORMATION REGARDING AN**
9 **AGENT OR ATTORNEY TO A LICENSED**
10 **HEALTH CARE PROFESSIONAL WHO PER-**
11 **FORMS A MEDICAL DISABILITY EXAMINATION**
12 **UNDER CERTAIN DEPARTMENT OF VET-**
13 **ERANS AFFAIRS PILOT PROGRAM.**

14 (a) **IN GENERAL.**—Section 504 of the Veterans’ Ben-
15 efits Improvements Act of 1996 (Public Law 104–275; 38
16 U.S.C. 5101 note), as amended by section 304, is further
17 amended by adding at the end the following new sub-
18 section:

19 “(f) **CERTAIN INFORMATION PROVIDED TO HEALTH**
20 **CARE PROFESSIONAL.**—The Secretary shall provide to a
21 health care professional who performs an examination
22 under subsection (a) the contact information of any agent
23 or attorney recognized by the Secretary under chapter 59
24 of title 38, United States Code, with regards to a claim
25 for benefits that gives rise to such examination.”.

1 (b) APPLICABILITY.—The amendment made by this
2 section shall apply to an examination described in sub-
3 section (a) of such section that is performed on or after
4 the date of the enactment of this Act.

5 **SEC. 306. MODERNIZATION OF DEPARTMENT OF VETERANS**

6 **AFFAIRS DISABILITY BENEFIT QUESTION-**
7 **NAIRES.**

8 (a) REQUIREMENT FOR TRANSMISSION OF CERTAIN
9 INFORMATION IN MACHINE-READABLE FORMAT.—

10 (1) REQUIREMENT.—Not later than 180 days
11 after enactment of this Act, the Secretary of Vet-
12 erans Affairs shall require all disability benefit ques-
13 tionnaire data collected in the course of medical dis-
14 ability examinations made by covered non-Depart-
15 ment providers to be transmitted to the Department
16 in a machine-readable format.

17 (2) ISSUANCE OF STANDARDS.—Not later than
18 90 days after the date of the enactment of this Act,
19 the Secretary shall issue standards for the trans-
20 mission of disability benefit questionnaire data in a
21 machine-readable format as required under para-
22 graph (1).

23 (3) UPDATES.—In making updates to disability
24 benefit questionnaires after the date specified in
25 paragraph (1), the Secretary shall—

1 (A) ensure that the updates are made in a
2 manner that allows for the data collected under
3 the questionnaires to be in a machine-readable
4 format as of the date on which the update goes
5 into effect; and

6 (B) not later than 30 days before an up-
7 date goes into effect, notify the covered non-De-
8 partment providers (or their employers) de-
9 scribed in such paragraph of such updates.

10 (b) PLAN FOR INFORMATION TECHNOLOGY SYSTEM
11 MODIFICATION.—Not later than 180 days after the date
12 of the enactment of this Act, the Secretary shall submit
13 to the Committees on Veterans' Affairs of the Senate and
14 House of Representatives a plan to modify the information
15 technology systems and processes of the Department to
16 enable a non-Department health care professional, as-
17 signed to or selected by a claimant, to transmit to the De-
18 partment, in a machine-readable format, disability benefit
19 questionnaire data, including complete disability benefit
20 questionnaires rather than partial questionnaires or ele-
21 ments of medical evidence.

22 (c) PUBLIC AVAILABILITY OF INFORMATION.—The
23 Secretary shall make publicly available on the internet
24 website of the Department referred to in section 5101(d)
25 of title 38, United States Code—

1 (1) a description of the standards issued under
2 subsection (a)(2); and

3 (2) the plan required under subsection (b).

4 (d) DEFINITIONS.—In this section:

5 (1) The term “claimant” has the meaning given
6 such term in section 5100 of title 38, United States
7 Code.

8 (2) The term “covered non-Department pro-
9 vider” means a health care provider who—

10 (A) is not an employee of the Department
11 of Veterans Affairs; and

12 (B) pursuant to a contract under section
13 504 of the Veterans Benefits Improvement Act
14 of 1996 (Public Law 104–275; 38 U.S.C. 5101
15 note), as amended by sections 304 and 305, ex-
16 amines a claimant for a medical disability.

17 **SEC. 307. DEPARTMENT OF VETERANS AFFAIRS AUTO-**
18 **MATIC PROCESSING OF CERTAIN CLAIMS**
19 **FOR TEMPORARY DISABILITY RATINGS.**

20 (a) IN GENERAL.—Not later than one year after the
21 date of the enactment of this Act, the Secretary of Vet-
22 erans Affairs shall modify the information technology sys-
23 tems of the Department of Veterans Affairs to use auto-
24 mation technology for claims for temporary disability rat-

1 ings for veterans described in section 1156(a)(1)(C) of
2 title 38, United States Code.

3 (b) ADDITIONAL REQUIREMENTS.—In providing for
4 the automatic processing of claims as required under sub-
5 section (a), the Secretary shall ensure that—

6 (1) medical evidence is obtained from the cor-
7 porate data warehouse of the Department or other
8 sources of data, the Secretary determines appro-
9 priate;

10 (2) employees of the Department continue to
11 determine whether a veteran is entitled to a tem-
12 porary disability rating under section 1156(a)(1)(C)
13 of title 38, United States Code; and

14 (3) claims may be processed manually if the
15 evidence of record is not sufficient to decide the
16 claim or if the medical evidence is provided in a for-
17 mat that is not compatible with the system devel-
18 oped under subsection (a).

19 **TITLE IV—HOMELESSNESS**
20 **MATTERS**

21 **SEC. 401. SHORT TITLE.**

22 This title may be cited as the “Housing our Military
23 Veterans Effectively Act of 2023” or the “HOME Act of
24 2023”.

1 **SEC. 402. PER DIEM PAYMENTS PROVIDED BY THE SEC-**
2 **RETARY OF VETERANS AFFAIRS FOR SERV-**
3 **ICES FURNISHED TO HOMELESS VETERANS.**

4 (a) IN GENERAL.—Section 2012 of title 38, United
5 States Code, is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (2)(B)—

8 (i) in clause (i)(II)(aa)(BB), by strik-
9 ing “115 percent” and inserting “115 per-
10 cent (or, during the period beginning on
11 the date of the enactment of the the Sen-
12 ator Elizabeth Dole 21st Century Veterans
13 Healthcare and Benefits Improvement Act
14 and ending on September 30, 2026, 133
15 percent)”; and

16 (ii) by adding at the end the fol-
17 lowing:

18 “(iii) For each of fiscal years 2024 through 2026,
19 the Secretary may waive the maximum rate for per diem
20 payments under clause (i)(II)(aa)(BB) or (ii) and, subject
21 to the availability of appropriations, provide such pay-
22 ments at a rate that does not exceed 200 percent of the
23 rate authorized for State homes for domiciliary care under
24 subsection (a)(1)(A) of section 1741 of this title, as the
25 Secretary may increase from time to time under sub-

1 section (e) of that section, if the Secretary notifies Con-
2 gress of such waiver.

3 “(iv) The Secretary may not, pursuant to clause (iii),
4 waive the maximum rate described in such clause for more
5 than 50 percent of all grant recipients and eligible entities
6 for a fiscal year.”; and

7 (B) by adding at the end the following new
8 paragraph:

9 “(4) The Secretary may not provide more than
10 12,000 per diem payments under this section for a fiscal
11 year.”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “(f) **REPORTS REQUIRED.**—Not later than 90 days
15 after the date of the enactment of the HOME Act of 2023,
16 and not less frequently than twice each year thereafter,
17 the Secretary shall submit to the Committee on Veterans’
18 Affairs of the Senate and the Committee on Veterans’ Af-
19 fairs of the House of Representatives a report on the rate
20 for per diem payments under this section that includes,
21 for each Veterans Integrated Service Network of the De-
22 partment, the following data:

23 “(1) The average rate for such a payment.

1 “(2) A list of locations where the rate for such
2 a payment is within 10 percent of the maximum rate
3 for such a payment authorized under this section.

4 “(3) The average length of stay by a veteran
5 participating in a program described in section
6 2012(a) of this title.”.

7 (b) REGULATORY AUTHORITY.—The Secretary of
8 Veterans Affairs may prescribe interim guidance to carry
9 out the amendments made by subsection (a).

10 (c) STRATEGIC PLAN.—

11 (1) IN GENERAL.—Not later than the end of
12 fiscal year 2025, the Secretary of Veterans Affairs
13 shall submit to the Committee on Veterans’ Affairs
14 of the Senate and the Committee on Veterans’ Af-
15 fairs of the House of Representatives a strategic
16 plan for the provision of grants and per diem pay-
17 ments for services furnished to homeless veterans
18 under sections 2011 and 2012 of title 38, United
19 States Code.

20 (2) ELEMENTS.—The plan required by para-
21 graph (1) shall include the following:

22 (A) A method for administering grant
23 funding equitably without using the rate au-
24 thorized for State homes for domiciliary care
25 under subsection (a)(1)(A) of section 1741 of

1 title 38, United States Code, as the Secretary
2 may increase from time to time under sub-
3 section (c) of that section, that takes into ac-
4 count—

5 (i) the wide variety of services fur-
6 nished by grant recipients and eligible enti-
7 ties under sections 2011 and 2012 of title
8 38, United States Code;

9 (ii) varying costs of living across dif-
10 ferent geographic locations;

11 (iii) varying availability of affordable
12 housing in different geographic locations;

13 (iv) circumstances of housing insecu-
14 rity in rural and Tribal communities;

15 (v) veterans with significant medical
16 care needs; and

17 (vi) the changing dynamic of the vet-
18 eran population nationwide.

19 (B) A plan and timeline for implementa-
20 tion of the method included under subpara-
21 graph (A).

22 (C) An estimate of increased costs or sav-
23 ings per year under the plan.

1 (D) An overview of the different grants
2 that will be available once the plan is imple-
3 mented.

4 **SEC. 403. AUTHORIZATION FOR SECRETARY OF VETERANS**
5 **AFFAIRS TO USE OF CERTAIN FUNDS FOR IM-**
6 **PROVED FLEXIBILITY IN ASSISTANCE TO**
7 **HOMELESS VETERANS.**

8 (a) USE OF FUNDS.—During the period beginning on
9 the date of the enactment of this Act and ending on the
10 termination date specified in subsection (d), the Secretary
11 of Veterans Affairs may provide to a covered veteran, as
12 the Secretary determines necessary—

13 (1) food, shelter, clothing, blankets, and hy-
14 giene items required for the safety and survival of
15 the veteran;

16 (2) transportation required to support the sta-
17 bility and health of the veteran for appointments
18 with service providers, the conduct of housing and
19 employment searches, and the obtainment of food
20 and supplies; and

21 (3) tablets, smartphones, disposable phones and
22 other technology, and related service plans required
23 to support the stability and health of the veteran
24 through the maintenance of contact with service pro-
25 viders, prospective landlords, and family members.

1 (b) HOMELESS VETERANS ON DEPARTMENT OF VET-
2 ERANS AFFAIRS LAND.—

3 (1) IN GENERAL.—The Secretary may collabo-
4 rate, to the extent practicable, with one or more or-
5 ganizations to manage the use of land of the Depart-
6 ment of Veterans Affairs for homeless veterans for
7 living and sleeping.

8 (2) FORMS OF COLLABORATION.—Collaboration
9 under paragraph (1) may include the provision by ei-
10 ther the Secretary or the head of the organization
11 concerned of food services and security for property,
12 buildings, and other facilities owned or controlled by
13 the Department of Veterans Affairs.

14 (c) REPORT REQUIRED.—Not later than six months
15 after the date of the enactment of this Act, and annually
16 thereafter until the date specified in subsection (d), the
17 Secretary shall submit to Congress a report that includes,
18 with respect to the period covered by such report—

19 (1) a statement, disaggregated by each medical
20 center of the Department of Veterans Affairs, of the
21 amount of funds under this section—

22 (A) each such medical center requested
23 from the Secretary; and

24 (B) to which the Secretary provided each
25 such medical center;

1 (2) data, disaggregated by each such medical
2 center, relating to how each such medical center
3 used amounts provided by the Secretary under this
4 section;

5 (3) the number of covered veterans to which the
6 Secretary provided assistance under this section;

7 (4) the total amount of assistance the Secretary
8 provided to covered veterans pursuant to subsection
9 (a)(3) for communications equipment, broken down
10 by the type of equipment provided;

11 (5) the total amount of assistance the Secretary
12 provided covered veterans pursuant to subsection
13 (a)(2) for ridesharing;

14 (6) the number of covered veterans who re-
15 ceived such assistance; and

16 (7) a description, for each rideshare used by a
17 covered veteran with such assistance, of the reasons
18 such covered veteran used such rideshare.

19 (8) the number of covered veterans who lived or
20 slept on Department land;

21 (9) the amount of funds used to make available
22 Department land for covered veterans to live and
23 sleep;

24 (10) the number of Department employees
25 whose primary responsibilities involved providing

1 services for covered veterans living or sleeping on
2 Department land;

3 (11) the average length of time a covered vet-
4 eran lived or slept on Department land, and

5 (12) the period of time the Secretary expects
6 Department land will be made available for covered
7 veterans to live and sleep.

8 (d) **TERMINATION DATE.**—The termination date
9 specified in this subsection is September 30, 2026.

10 (e) **DEFINITIONS.**—In this section, the term “covered
11 veteran” means—

12 (1) a homeless veteran, as such term is defined
13 in section 2002 of title 38, United States Code; and

14 (2) a veteran participating in the program car-
15 ried out under section 8(o)(19) of the United States
16 Housing Act of 1937 (42 U.S.C. 1437f(o)(19)).

17 **SEC. 404. ACCESS TO DEPARTMENT OF VETERANS AFFAIRS**
18 **TELEHEALTH SERVICES.**

19 (a) **IN GENERAL.**—Subtitle VII of chapter 20 of title
20 38, United States Code is amended by adding at the end
21 the following new section:

22 **“§ 2069. Access to telehealth services**

23 “To the extent practicable, the Secretary shall ensure
24 that veterans participating in or receiving services from
25 a program under this chapter have access to telehealth

1 services to which such veterans are eligible under the laws
2 administered by the Secretary, including by ensuring that
3 telehealth capabilities are available to—

4 “(1) such veterans;

5 “(2) case managers of the Department of pro-
6 grams for homeless veterans authorized under this
7 chapter; and

8 “(3) community-based service providers for
9 homeless veterans receiving funds from the Depart-
10 ment through grants or contracts.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 20 of title 38, United States
13 Code, is amended by adding at the end the following new
14 item:

“2069. Access to telehealth services.”.

15 **TITLE V—ELECTRONIC HEALTH**
16 **RECORD MATTERS**

17 **SEC. 501. SHORT TITLE.**

18 This title may be cited as the “Electronic Health
19 Record Program Restructure, Enhance, Strengthen, and
20 Empower Technology Act of 2024” or the “EHR Program
21 RESET Act of 2024”.

22 **SEC. 502. DEFINITIONS.**

23 In this title:

24 (1) The term “appropriate congressional com-
25 mittees” means—

1 (A) the Committee on Veterans' Affairs
2 and the Committee on Appropriations of the
3 House of Representatives; and

4 (B) the Committee on Veterans' Affairs
5 and the Committee on Appropriations of the
6 Senate.

7 (2) The term "Electronic Health Record Mod-
8 ernization Program" means any activities being car-
9 ried out, as of the date of the enactment of this Act,
10 by the Department of Veterans Affairs to procure
11 and implement an electronic health record system to
12 replace significant medical functions or applications
13 of the Veterans Information Systems and Tech-
14 nology Architecture.

15 (3) The term "other health information tech-
16 nology activities and systems of the Department"
17 means health information technology activities and
18 systems other than electronic health record systems,
19 including functions supporting clinical care or func-
20 tional requirements, notwithstanding the Determina-
21 tion and Findings executed by the Secretary of Vet-
22 erans Affairs on June 1, 2017.

23 (4) The term "preliminary program activity"
24 means an activity under the Electronic Health
25 Record Modernization Program, including any local

1 workshop, training, testing, or any other activity
2 that is a direct precursor to the activation of the
3 electronic health record system at a particular Vet-
4 erans Health Administration facility.

5 **Subtitle A—Electronic Health**
6 **Record System and Health In-**
7 **formation Technology Mod-**
8 **ernization**

9 **SEC. 511. MODERNIZATION OF DEPARTMENT OF VETERANS**
10 **AFFAIRS ELECTRONIC HEALTH RECORD SYS-**
11 **TEM AND HEALTH INFORMATION TECH-**
12 **NOLOGY.**

13 (a) IN GENERAL.—The Secretary of Veterans Affairs
14 is authorized to carry out a program to modernize—

15 (1) the electronic health record system of the
16 Department of Veterans Affairs, either by making
17 changes to the Electronic Health Record Moderniza-
18 tion Program, as in effect on the date of the enact-
19 ment of this Act, or by establishing a new program;
20 and

21 (2) other health information technology activi-
22 ties and systems of the Department.

23 (b) PURPOSE OF MODERNIZATION PROGRAM.—If the
24 Secretary carries out a program under subsection (a),
25 some combination of the components of such program as

1 described in paragraphs (1) and (2) of subsection (a) shall
2 be designed to fulfill the following purposes:

3 (1) To improve the quality of hospital care,
4 medical services, and nursing home care furnished
5 by the Department of Veterans Affairs, including—

6 (A) by improving the delivery of care con-
7 sistent with quality and safety standards of the
8 Department;

9 (B) by improving the coordination of such
10 care and services for such patients; and

11 (C) by improving timely access to such
12 care and services for such patients;

13 (2) To increase the productivity, efficiency, and
14 satisfaction of employees of the Veterans Health Ad-
15 ministration.

16 (3) To improve the experience of patients en-
17 rolled in the patient enrollment system of the De-
18 partment of Veterans Affairs under section 1705 of
19 title 38, United States Code.

20 (4) To reduce unnecessary variation in care de-
21 livery.

22 (5) To improve the quality, consistency, and
23 management of—

24 (A) data created or received by the Vet-
25 erans Health Administration, including such

1 data related to or needed for benefits deter-
2 minations by the Department; and

3 (B) data generated by or exchanged with a
4 health care provider through which the Sec-
5 retary furnishes such care and services under
6 the laws administered by the Secretary.

7 (6) To increase the interoperability of the elec-
8 tronic health record systems and health information
9 technology systems of the Department by—

10 (A) expressing the content and format of
11 health data using a common language to im-
12 prove the exchange of data within and outside
13 the Department;

14 (B) ensuring that Department medical per-
15 sonnel have access to integrated, computable,
16 and comprehensive health records and health
17 data of patients sufficient to enable the provi-
18 sion of seamless care within and outside the
19 Department;

20 (C) surpassing the capabilities achievable
21 through bidirectional information exchange be-
22 tween electronic health record systems or the
23 exchange of read-only data; and

24 (D) planning for and effectuating the
25 broadest possible implementation of interoper-

1 ability and data standards, specifically with re-
2 spect to the Fast Healthcare Interoperability
3 Resources standard or successor standard, the
4 evolution of such standards, and the obsoles-
5 cence of such standards.

6 (7) To increase the amount of medical collec-
7 tions in the Department of Veterans Affairs Medical
8 Care Collections Fund established under section
9 1729A of title 38, United States Code.

10 (8) To support and strengthen research and de-
11 velopment activities, including such activities re-
12 quired under section 7303 of title 38, United States
13 Code.

14 (9) To protect the personal information, includ-
15 ing personally identifiable information and protected
16 health information, of veterans, patients, and other
17 users of electronic health record systems and health
18 information technology systems authorized under
19 subsection (a) from cyber attacks, identity theft, and
20 other cyber and security threats.

21 (10) Such other purposes as the Secretary may
22 determine appropriate.

1 **SEC. 512. RESPONSIBILITY FOR ELECTRONIC HEALTH**
2 **RECORD PROGRAM AND HEALTH INFORMA-**
3 **TION TECHNOLOGY.**

4 (a) IN GENERAL.—If the Secretary of Veterans Af-
5 fairs carries out a program under subsection (a) of section
6 511—

7 (1) with respect to the modernization of the
8 electronic health record system of the Department of
9 Veterans Affairs pursuant to section 511(a)(1)—

10 (A) the Deputy Secretary of Veterans Af-
11 fairs shall—

12 (i) be directly responsible to the Sec-
13 retary for such electronic health record
14 system modernization;

15 (ii) oversee such electronic health
16 record system modernization;

17 (iii) direct resources, subject to the
18 availability of appropriations, to the Office
19 of Information and Technology, the Vet-
20 erans Health Administration, or other or-
21 ganizational subdivisions of the Depart-
22 ment to facilitate such modernization;

23 (iv) designate officials and offices
24 within the Department as operationally re-
25 sponsible for such modernization, including

1 a Program Executive Director for Elec-
2 tronic Health Record Modernization; and

3 (v) coordinate with the Under Sec-
4 retary of Veterans Affairs for Health and
5 the Assistant Secretary of Veterans Affairs
6 for Information and Technology;

7 (B) the Under Secretary for Health
8 shall—

9 (i) have primary responsibility for de-
10 termining strategy and objectives of such
11 modernization;

12 (ii) exercise responsibility for the im-
13 plementation and operation of any func-
14 tions assigned by the Deputy Secretary
15 pursuant to subparagraph (D);

16 (iii) coordinate with the Deputy Sec-
17 retary, the Program Executive Director
18 designated pursuant to subparagraph
19 (A)(iv), and the Assistant Secretary for In-
20 formation and Technology;

21 (C) the Assistant Secretary for Informa-
22 tion and Technology shall—

23 (i) be responsible for carrying out the
24 information technology activities of the De-
25 partment in accordance with—

1 (I) section 310 of title 38, United
2 States Code;

3 (II) chapter 35 of title 44,
4 United States Code; and

5 (III) subtitle III of title 40,
6 United States Code;

7 (ii) exercise responsibility for the im-
8 plementation and operation of any func-
9 tions assigned by the Deputy Secretary
10 pursuant to subparagraph (D);

11 (iii) coordinate with the Deputy Sec-
12 retary, the Program Executive Director
13 designated pursuant to subparagraph
14 (A)(iv), and the Under Secretary for
15 Health; and

16 (D) the Deputy Secretary, in consultation
17 with the Under Secretary for Health and the
18 Assistant Secretary for Information and Tech-
19 nology, shall determine the distribution or as-
20 signment of responsibilities among the Under
21 Secretary for Health, the Assistant Secretary
22 for Information and Technology, and the Pro-
23 gram Executive Director designated pursuant
24 to subparagraph (A)(iv) for—

- 1 (i) defining and elaborating require-
2 ments;
3 (ii) implementation schedule;
4 (iii) system design and configuration;
5 (iv) workflow;
6 (v) system usability;
7 (vi) change management;
8 (vii) training; and
9 (viii) other functions relevant to such

10 modernization; and

11 (2) with respect to the modernization of other
12 health information technology activities and systems
13 of the Department pursuant to section 511(a)(2)—

14 (A) the Under Secretary for Health and
15 the Assistant Secretary for Information and
16 Technology shall share primary responsibility,
17 shall coordinate with one another, and shall
18 jointly—

19 (i) coordinate with any other relevant
20 organizational subdivisions of the Depart-
21 ment regarding the prioritization, invest-
22 ment in, and deployment of health infor-
23 mation technology regarding such mod-
24 ernization; and

1 (ii) develop the health information
2 technology strategy and roadmap required
3 under section 537;

4 (B) the Assistant Secretary for Informa-
5 tion and Technology shall be responsible for
6 carrying out the information technology activi-
7 ties of the Department in accordance with—

8 (i) section 310 of title 38, United
9 States Code;

10 (ii) chapter 35 of title 44, United
11 States Code; and

12 (iii) subtitle III of title 40, United
13 States Code; and

14 (C) The Under Secretary for Health, act-
15 ing through the Chief Digital Health Officer of
16 the Department or a successor or equivalent of-
17 ficer, shall coordinate the activities and func-
18 tions of the Veterans Health Administration,
19 including health informatics.

20 (b) EXECUTIVE DIRECTOR.—With respect to the
21 Electronic Health Record Modernization program and any
22 program carried out pursuant to section 511(a)(1), the
23 Program Executive Director designated pursuant to sub-
24 section (a)(1)(A)(iv) shall—

1 (1) exercise responsibility for the implementa-
2 tion and operation of the functions assigned by the
3 Deputy Secretary pursuant to subsection (a)(1)(D);

4 (2) oversee work performed by contractors re-
5 lated to such programs, in coordination with the
6 Principal Executive Director of the Office of Acqui-
7 sition, Logistics, and Construction; and

8 (3) coordinate with the Under Secretary for
9 Health, the Assistant Secretary for Information and
10 Technology, and any other relevant organizational
11 subdivisions of the Department.

12 **SEC. 513. PROTECTION OF PERSONAL INFORMATION.**

13 (a) IN GENERAL.—Not later than one year after the
14 date of the enactment of this Act, the Secretary of Vet-
15 erans Affairs shall—

16 (1) ensure that each covered contract includes,
17 or is modified to include, a clause prohibiting cov-
18 ered information from being monetized, sold, or oth-
19 erwise misused by any contractor, including any sub-
20 contractor or affiliate thereof, or other non-Depart-
21 ment of Veterans Affairs entity; and

22 (2) issue a directive or other policy providing
23 guidance to employees and contractors of the De-
24 partment on how to identify the monetization, sale,
25 or misuse of covered information in order to ensure

1 contractors are in compliance with clauses in covered
2 contracts included pursuant to paragraph (1).

3 (b) DEFINITIONS.—In this section:

4 (1) The term “covered contract” means a con-
5 tract of the Department of Veterans Affairs that
6 provides for the handling of covered information and
7 is entered into—

8 (A) after the date of the enactment of this
9 Act; or

10 (B) before the date of the enactment of
11 this Act and does not expire before the date of
12 the enactment of this Act.

13 (2) The term “covered information”—

14 (A) means protected health information or
15 personally identifiable information, including
16 such information that has been anonymized;
17 and

18 (B) includes information protected
19 under—

20 (i) section 552a of title 5, United
21 States Code;

22 (ii) section 5701 or 7332 of title 38
23 United States Code;

24 (iii) parts 160, 161, and 164 of title
25 45, Code of Federal Regulations; and

1 (iv) any other provision of law, as de-
2 termined by the Secretary.

3 **Subtitle B—Implementation**
4 **Requirements**

5 **SEC. 521. VETERANS HEALTH ADMINISTRATION**
6 **WORKFLOW BASELINE.**

7 (a) ESTABLISHMENT.—The Under Secretary of Vet-
8 erans Affairs for Health, shall—

9 (1) conduct an enterprise inventory of core clin-
10 ical and business processes relevant to the program
11 described in section 511(a)(1), including all
12 workflows underlying such processes throughout the
13 Veterans Health Administration;

14 (2) evaluate and compare the workflows re-
15 ferred to in paragraph (1) against relevant health
16 care industry best practices and clinical practice
17 guidelines; and

18 (3) establish a baseline of clinical workflows for
19 the Veterans Health Administration.

20 (b) INCORPORATION.—The Under Secretary for
21 Health shall incorporate the baseline established under
22 subsection (a)(3) into the program described in section
23 511(a)(1).

24 (c) MONITORING AND CONTROL OF VARIATIONS.—
25 The Under Secretary for Health shall—

1 (1) establish a process to monitor and control
2 variations from the baseline established under sub-
3 section (a)(3); and

4 (2) evaluate progress relative to such baseline.

5 (d) STANDARDS.—The Under Secretary for Health
6 shall establish national standards for the Veterans Health
7 Administration, pertaining to the implementation and
8 adoption of the electronic health record system, for—

9 (1) order sets;

10 (2) user roles;

11 (3) medical devices;

12 (4) system interfaces and connectivity of med-
13 ical devices; and

14 (5) any clinical process not described in sub-
15 section (a) that the Under Secretary for Health de-
16 termines appropriate.

17 **SEC. 522. REQUIREMENTS FOR ELECTRONIC HEALTH**
18 **RECORD SYSTEM IMPLEMENTATION.**

19 (a) METRICS.—

20 (1) ESTABLISHMENT.—Not later than 90 days
21 after the date of the enactment of this Act, the Sec-
22 retary of Veterans Affairs, acting through the Under
23 Secretary of Veterans Affairs for Health, shall es-
24 tablish standard health care quality metrics for pur-
25 poses of evaluating the provision of health care dur-

1 ing the implementation and adoption of the elec-
2 tronic health record system. Such metrics shall—

3 (A) be uniform in composition;

4 (B) take into account relevant differences
5 in size, complexity, and market composition of
6 facilities of the Veterans Health Administra-
7 tion;

8 (C) incorporate the Strategic Analytics for
9 Improvement and Learning Value Model of the
10 Department, any other relevant methodology, or
11 any successor methodology; and

12 (D) reflect the purposes referred to in sec-
13 tion 511(b).

14 (2) STRATEGIC ANALYTICS FOR IMPROVEMENT
15 AND LEARNING VALUE MODEL.—Upon the enact-
16 ment of this Act, the Secretary shall continue mak-
17 ing publicly available the results of the Strategic
18 Analytics for Improvement and Learning Value
19 Model with respect to all medical facilities where the
20 electronic health record system pursuant to the Elec-
21 tronic Health Record Modernization Program is ac-
22 tive.

23 (b) LIMITATION ON PRELIMINARY PROGRAM ACTIVI-
24 TIES AT CERTAIN FACILITIES.—In the case of any med-
25 ical facility of the Department where, as of the date of

1 the enactment of this Act, a preliminary program activity
2 has not been initiated or is not being carried out, the Sec-
3 retary may not carry out such an activity at such facility
4 before the date on which the Secretary submits to the ap-
5 propriate congressional committees certification that—

6 (1) each medical facility where the electronic
7 health record system pursuant to the Electronic
8 Health Record Modernization Program is active as
9 of such date of enactment, has met or exceeded the
10 operational levels of such medical facility prior to
11 implementing such system with respect to oper-
12 ational areas of the Department related to the pur-
13 poses described in paragraphs (1), (2), (3), and (7)
14 of section 511(b); and

15 (2) includes data to support such certification.

16 (c) LIMITATION ON IMPLEMENTATION OF ELEC-
17 TRONIC HEALTH RECORD MODERNIZATION PROGRAM.—

18 The Secretary may not implement the electronic health
19 record system pursuant to the Electronic Health Record
20 Modernization Program at a Department medical facility
21 where such system is not active as of date of enactment
22 unless—

23 (1) the Secretary has made the certification de-
24 scribed in subsection (b); and

1 (2) the Under Secretary for Health, in con-
2 sultation with the director of the facility, submits to
3 the Secretary, and the Secretary transmits to the
4 appropriate congressional committees, written cer-
5 tification that—

6 (A) the director has confidence that the
7 build and configuration of the electronic health
8 record, as proposed to be carried out at such
9 medical facility, are accurate and complete;

10 (B) the staff and infrastructure of such fa-
11 cility are adequately prepared to receive such
12 system;

13 (C) the facility and the Department have
14 taken appropriate action to mitigate any ad-
15 verse effects of the implementation of such sys-
16 tem on health outcomes, coordination of care,
17 wait times, patient safety, or veteran experience
18 at such medical facility; and

19 (D) such system has demonstrated a sus-
20 tained record of achieving the contractual re-
21 quirements for outage-free time and incident-
22 free time prior to such certification.

1 **SEC. 523. CONDITIONAL RESTRUCTURING OF ELECTRONIC**
2 **HEALTH RECORD MODERNIZATION PRO-**
3 **GRAM.**

4 (a) IN GENERAL.—Beginning on the date that is two
5 years after the date of the enactment of this Act, the Sec-
6 retary of Veterans Affairs may not exercise any option pe-
7 riods or optional tasks or extend any contracts to carry
8 out the Electronic Health Record Modernization Program,
9 unless before the date that is two years after the date of
10 enactment of this Act—

11 (1) the Secretary submits to the appropriate
12 congressional committees a certification, including
13 supporting data, that the metrics described in sec-
14 tion 522(a) show overall improvement in each meas-
15 urement period during the period beginning on the
16 date of the enactment of this Act and ending on the
17 date on which the certification under this paragraph
18 is made; and

19 (2) the Secretary has made the certification de-
20 scribed in section 522(b).

21 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion may be construed to require the Secretary to termi-
23 nate any contract, task order, modification, or other simi-
24 lar instrument under the Electronic Health Record Mod-
25 ernization Program before the expiration of the period of

1 performance of such contract, task order, modification, or
2 other similar instrument.

3 (c) **FAILURE TO MAKE CERTIFICATIONS.**—In the
4 event that each certification referred to in paragraphs (1)
5 and (2) of subsection (a) is not made before the date that
6 is two years after the date of the enactment of this Act,
7 not later than 180 days after the date that is two years
8 after the date of the enactment of this Act, the Secretary
9 shall either—

10 (1) ensure that each facility of the Veterans
11 Health Administration using the electronic health
12 record system implemented pursuant to the Elec-
13 tronic Health Record Modernization Program reactiv-
14 ates and resumes using the Veterans Health Infor-
15 mation Systems and Technology Architecture and
16 the Computerized Patient Record System of the De-
17 partment; or

18 (2) if the Secretary has submitted the report on
19 alternative modernization strategies under section
20 536, select and pursue a strategy included in the re-
21 port.

22 **Subtitle C—Reporting**

23 **SEC. 531. REPORT ON ADDITIONAL PURPOSES.**

24 If the Secretary determines any purpose to be appro-
25 priate pursuant to section 511(b)(10), not later than 30

1 days after the date of such determination, the Secretary
2 shall submit to the appropriate congressional committees
3 a report that includes a description of such purpose.

4 **SEC. 532. REPORTS ON BASELINE OF CLINICAL**
5 **WORKFLOWS.**

6 (a) **BASELINE.**—Not later than 90 days after the
7 date on which the Secretary establishes a baseline of clin-
8 ical workflows pursuant to section 521(a)(3), the Sec-
9 retary shall submit to the appropriate congressional com-
10 mittees a report that includes an identification of such
11 baseline.

12 (b) **STANDARDS.**—Not later than 90 days after the
13 date on which the Secretary establishes the national stand-
14 ards pursuant to section 521(d), the Secretary shall sub-
15 mit to the appropriate congressional committees a report
16 that describes such standards.

17 **SEC. 533. REPORT ON HEALTH CARE QUALITY METRICS.**

18 Not later than 90 days after the date on which the
19 Secretary establishes the health care quality metrics de-
20 scribed in section 522(a), the Secretary shall submit to
21 the appropriate congressional committees a report that in-
22 cludes an identification of such metrics.

1 **SEC. 534. REPORT ON SUPPORT STRATEGY FOR EXISTING**
2 **SITES.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary shall sub-
5 mit to the appropriate congressional committees a report
6 on the strategy of the Department to enable each medical
7 facility of the Department where the electronic health
8 record system implemented pursuant to the Electronic
9 Health Record Modernization Program is active as of the
10 date of enactment of this Act to achieve full user adoption
11 of the system and meet or exceed the operational levels
12 of such medical center prior to implementing such system
13 with respect to operational areas of the Department re-
14 lated to the purposes described in paragraphs (1), (2), (3),
15 and (7) of section 511(b). Such report shall include an
16 estimated budget, or revisions to an existing budget, if
17 any, for each such facility to implement such strategy, in-
18 cluding with respect to costs related to—

- 19 (1) training;
- 20 (2) additional staff;
- 21 (3) technical support;
- 22 (4) support contracts;
- 23 (5) mitigation strategies; and
- 24 (6) any other resources determined necessary
- 25 by the director of the facility.

1 (b) INPUT.—The report described in subsection (a)
2 shall be developed with input from the directors of each
3 such medical facility and the directors of each Veterans
4 Integrated Service Network in which each such medical
5 facility is located.

6 **SEC. 535. REPORT ON RESOURCES REQUIRED FOR FUTURE**
7 **SITES.**

8 Not later than 90 days before a medical facility is
9 scheduled to implement the electronic health record sys-
10 tem pursuant to the Electronic Health Record Moderniza-
11 tion Program, the Secretary shall submit to the appro-
12 priate congressional committees a report provided by the
13 director of the medical facility, in consultation with the
14 chief of staff of the medical facility and the director of
15 the Veterans Integrated Service Network in which such
16 medical facility is located. Such report shall include a de-
17 tailed description of the resources provided to the medical
18 facility, and the estimated resources still required, to im-
19 plement such system successfully, including with respect
20 to—

- 21 (1) funding;
- 22 (2) training;
- 23 (3) additional staff;
- 24 (4) technical support;
- 25 (5) support contracts;

1 (6) mitigation strategies; and

2 (7) any other resources determined necessary
3 by the director of the facility.

4 **SEC. 536. REPORT ON ALTERNATIVE MODERNIZATION**
5 **STRATEGIES.**

6 (a) IN GENERAL.—Not later than one year after
7 completing the baseline required under section 521(a), the
8 Secretary, in consultation with the Under Secretary of
9 Veterans Affairs for Health, the Executive Director of the
10 Electronic Health Record Modernization Program, and
11 the Assistant Secretary of Veterans Affairs for Informa-
12 tion and Technology, shall submit to the appropriate con-
13 gressional committees a report that includes a description
14 of not fewer than two alternative strategies to the Elec-
15 tronic Health Record Modernization Program to carry out
16 the program described in section 511(a) and the purposes
17 described in section 511(b) in the event that each of the
18 certifications referred to in paragraphs (1) and (2) of sec-
19 tion 523(a) are not made.

20 (b) ALTERNATIVE STRATEGIES.—The alternative
21 strategies included in the report shall include—

22 (1) a strategy of modernizing the Veterans
23 Health Information Systems and Technology Archi-
24 tecture in conjunction with other health information
25 technology activities and systems;

1 (2) a strategy of implementing a commercial
2 electronic health record system, other than the Elec-
3 tronic Health Record Modernization Program, in
4 conjunction with other health information technology
5 activities and systems; and

6 (3) any other strategy the Secretary determines
7 appropriate.

8 (c) REQUIREMENTS.—For each alternative strategy
9 included in the report, the Secretary shall include—

10 (1) a description of how the strategy incor-
11 porates the baseline required under section 521(a);

12 (2) an indication of what combination of an
13 electronic health record system and other health in-
14 formation technology activities and systems will be
15 used to fulfill the purposes described in section
16 511(b);

17 (3) a notional schedule for the implementation
18 of the strategy;

19 (4) a preliminary life cycle cost estimate for the
20 implementation of the strategy, including what, if
21 any, costs incurred during the implementation of the
22 Electronic Health Record Modernization Program
23 may be recovered or investments made during the
24 implementation of such program may be reused;

1 (5) an explanation of how the strategy, if imple-
2 mented, would achieve the purposes described in sec-
3 tion 511(b);

4 (6) a description of any improvements in gov-
5 ernance, management, and oversight made by the
6 Department or proposed to be made with respect to
7 a program to carry out an alternative strategy;

8 (7) an analysis of the feasibility of imple-
9 menting the strategy;

10 (8) an analysis of the level of risk to taxpayers
11 and the Department to implement the strategy as
12 well as strategies to mitigate any such risks;

13 (9) an analysis of the strengths and weaknesses
14 of the strategy; and

15 (10) a description of how the electronic health
16 record system implemented pursuant to the Elec-
17 tronic Health Record Modernization Program will be
18 sustained, deprecated, and replaced through imple-
19 mentation of the strategy.

20 **SEC. 537. REPORT ON HEALTH INFORMATION TECH-**
21 **NOLOGY STRATEGY AND ROADMAP.**

22 (a) IN GENERAL.—Not later than 270 days after the
23 date of the enactment of this Act, the Chief Digital Health
24 Officer, or any successor officer of the Department of Vet-
25 erans Affairs, in coordination with the Assistant Secretary

1 of Veterans Affairs for Information and Technology, the
2 Chief Acquisition Officer of the Department of Veterans
3 Affairs, and the Program Executive Director designated
4 pursuant to section 512(a)(1)(A)(iv) shall submit to the
5 appropriate congressional committees a report a con-
6 taining a health information technology strategy and road-
7 map.

8 (b) CONTENTS OF REPORT.—The report required
9 under subsection (a) shall include each of the following:

10 (1) A health information technology strategy
11 presenting the comprehensive approach of the De-
12 partment and objectives to identify, prioritize, pro-
13 cure and use health information technology of the
14 Department as well as interfaces with health infor-
15 mation technology of non-Department entities and
16 integration of such systems and interfaces to im-
17 prove—

18 (A) health care quality;

19 (B) health care delivery and coordination,
20 including of interfaced medical devices;

21 (C) efficiency of the health business and
22 administrative functions; and

23 (D) research functions of the Department.

1 (2) Goals and measurable metrics to assess im-
2 plementation of the strategy described in paragraph
3 (1) and the roadmap described in paragraph (4).

4 (3) As assessment of the current state and de-
5 sired future state of the Department, including tech-
6 nical architecture, enterprise processes, and systems
7 integration with respect to health information tech-
8 nology.

9 (4) A roadmap to implement the strategy de-
10 scribed in paragraph (1), consisting of—

11 (A) a revised governance model, to include
12 management and oversight responsibilities, to
13 holistically organize, prioritize, and invest in
14 health information technology initiatives of the
15 Department, regardless of funding source, while
16 removing duplication and fragmentation in such
17 initiatives of the Department;

18 (B) a timeline to implement and
19 operationalize the strategy described in para-
20 graph (1);

21 (C) a description of the acquisition and
22 contracting strategies of the Department at the
23 national, regional, or local levels to be created
24 or modified to implement the strategy described
25 in paragraph (1); and

1 (D) a description of any human capital
2 needs required to implement the strategy and
3 roadmap, including qualifications or incentives
4 to obtain such needs.

5 (c) UPDATE TO REPORT.—Not later than 120 days
6 after the first day of the fiscal year after the fiscal year
7 during which the report required under subsection (a) is
8 submitted, and annually thereafter until the date specified
9 in subsection (d), the Chief Digital Health Officer shall
10 submit to the appropriate congressional committees an up-
11 dated report that includes each of the following:

12 (1) An identification of any significant changes
13 to the strategy described in subsection (b)(1) or any
14 of the elements of the strategy.

15 (2) An assessment of the extent to which the
16 goals described in subsection (b)(2) have been
17 achieved, including supporting metrics and data.

18 (3) An assessment of the progress and mile-
19 stones achieved related to the timeline described in
20 subsection (b)(4)(D).

21 (4) A description of any corrective actions to be
22 taken in response to failure to meet any goals or
23 milestones.

24 (5) The budget and spending plan of the De-
25 partment for health information technology, includ-

1 ing all relevant accounts, for the fiscal year during
2 which the updated report is submitted and the next
3 fiscal year.

4 (d) **TERMINATION DATE.**—The date specified in this
5 subsection is the date that is four years after the date
6 on which the first update is submitted under subsection
7 (c).

8 **SEC. 538. ANNUAL REPORT ON EFFORTS TO MAINTAIN**
9 **VISTA ELECTRONIC HEALTH RECORD SYS-**
10 **TEM.**

11 (a) **IN GENERAL.**—Not later than 120 days after the
12 first day of each fiscal year that begins after the date of
13 the enactment of this Act until the date specified in sub-
14 section (c), the Secretary shall submit to the appropriate
15 congressional committees a report on the Veterans Infor-
16 mation Systems and Technology Architecture.

17 (b) **CONTENTS OF REPORT.**—The report required by
18 subsection (a) shall include—

19 (1) the operation and maintenance costs and
20 development and enhancement costs for the most re-
21 cent fiscal year that ended before the date of the
22 submission of the report;

23 (2) the planned operation and maintenance ef-
24 forts and development and enhancement efforts dur-

1 ing the fiscal year during which the report is sub-
2 mitted and subsequent fiscal years;

3 (3) the projected operation and maintenance
4 and development and enhancement costs for the nine
5 fiscal years following the fiscal year during which
6 the report is submitted;

7 (4) a list of modules, applications, or systems
8 within the Veterans Information Systems and Tech-
9 nology Architecture—

10 (A) that have been retired or have been, or
11 are planned to be, subsumed by other systems
12 or applications; or

13 (B) that the Department plans to retire
14 during the fiscal year or in a future fiscal year;
15 or

16 (C) for which there is no plan to retire or
17 subsume;

18 (5) a list of applications or systems to be devel-
19 oped within, significantly modernized, or integrated
20 with, the Veterans Information Systems and Tech-
21 nology Architecture during the fiscal year during
22 which the report is submitted or during any future
23 fiscal year;

24 (6) a list of current, scheduled activity and as-
25 sociated costs towards achieving certification as a

1 certified electronic health record technology pursu-
2 ant to the program under section 3001(c) of the
3 Public Health Service Act (42 U.S.C. 300jj-11(c));
4 and

5 (7) a report on the stability of the system, in-
6 cluding—

7 (A) outage-free time;

8 (B) incident-free time; and

9 (C) user interruptions across all instances
10 of the Veterans Information Systems and Tech-
11 nology Architecture during the two previous fis-
12 cal years.

13 (c) TERMINATION.—The date specified in this sub-
14 section is the date that is 10 years after the date of the
15 enactment of this Act.

16 **SEC. 539. MODIFICATION OF QUARTERLY REPORTS.**

17 Section 503 of the Veterans Benefits and Transition
18 Act of 2018 (Public Law 115–407) is amended—

19 (1) in subsection (b)—

20 (A) by redesignating paragraphs (1)
21 through (6) as subparagraphs (A) through (F),
22 respectively;

23 (B) in the matter preceding subparagraph
24 (A), as redesignated by paragraph (1), by strik-

1 ing “Not later than 30 days” and inserting the
2 following:

3 “(1) IN GENERAL.—Not later than 30 days”;
4 and

5 (C) by adding at the end the following:

6 “(2) ADDITIONAL MATTERS TO BE IN-
7 CLUDED.—The Secretary shall include with any up-
8 date submitted under paragraph (1) on or after the
9 date of enactment of the the Senator Elizabeth Dole
10 21st Century Veterans Healthcare and Benefits Im-
11 provement Act with respect to the quarter covered
12 by the report, the following:

13 “(A) Data on user adoption and employee
14 satisfaction with the electronic health record
15 system implemented pursuant to the Electronic
16 Health Record Modernization program or suc-
17 cessor system implemented pursuant to section
18 511(a)(1) of the the Senator Elizabeth Dole
19 21st Century Veterans Healthcare and Benefits
20 Improvement Act, including training on such
21 system, using surveys of the Department and
22 surveys conducted for the Department.

23 “(B) Data on employee retention and turn-
24 over at medical facilities where such electronic
25 health record system is in use.

1 “(C) Data on downtime, performance dis-
2 ruptions, or impaired functionality of such elec-
3 tronic health record system including—

- 4 “(i) cause;
5 “(ii) length;
6 “(iii) responsible entity; and
7 “(iv) corrective actions planned or
8 taken.

9 “(D) Data on the impact of such system
10 on revenue and collections at medical facilities
11 where such electronic health record system is in
12 use, including—

- 13 “(i) planned revenue and collections;
14 “(ii) actual revenue and collections;
15 and
16 “(iii) steps planned or taken to
17 achieve planned revenue and collections.

18 “(E) Data on ticket resolution.

19 “(F) A list of any credits, reimbursements,
20 or monies provided by a contractor under the
21 Electronic Health Record Modernization pro-
22 gram or invoice deductions or withholdings
23 taken by the Department from such contractor
24 in the reporting period to include due to failure
25 to meet the terms of a service level agreement

1 or other terms and conditions of the contract.”;

2 and

3 (2) in subsection (d)(2)(C)—

4 (A) by striking “or dispute, and” and in-
5 serting “dispute, cure notice, letter of concern,
6 or other official communication by the Depart-
7 ment to a contractor concerning contract non-
8 compliance or corrective action, the official re-
9 sponse of the contractor, and”; and

10 (B) by striking “or dispute (as” and in-
11 serting “dispute, cure notice, letter of concern,
12 or other official communication concerning con-
13 tract noncompliance and the official response of
14 the contractor (as”.

15 **SEC. 540. REPORT ON PROTECTION OF PERSONAL INFOR-**
16 **MATION.**

17 Not later than one year after the date of the enact-
18 ment of this Act, the Secretary of Veterans Affairs shall
19 submit to the appropriate congressional committees a re-
20 port that includes—

21 (1) a copy of the contract clause required by
22 section 513(a);

23 (2) the guidance required by section 513(b);

24 and

1 (3) a summary of any other actions taken to
2 comply with section 513.

3 **SEC. 541. REPORT ON ORGANIZATION AND NEEDS.**

4 (a) CONGRESSIONAL NOTICE REGARDING CERTAIN
5 ACTIONS.—

6 (1) IN GENERAL.—Not later than 90 days after
7 the date on which an official of the Department of
8 Veterans Affairs takes an action specified in para-
9 graph (2), the Secretary of Veterans Affairs shall
10 submit to the appropriate congressional committees
11 notice of such action.

12 (2) ACTION SPECIFIED.—An action specified in
13 this paragraph is any of the following:

14 (A) The designation of any official or of-
15 fice by the Deputy Secretary of Veterans Af-
16 fairs pursuant to section 512(a)(1)(A)(iv).

17 (B) The designation of any responsibility
18 by the Deputy Secretary pursuant to section
19 512(a)(1)(D).

20 (C) Any action related to the reorganiza-
21 tion of a program pursuant to section 511(a)(1)
22 or (2).

23 (b) REPORT ON NECESSARY LEGISLATIVE
24 CHANGES.—Not later than one year after the date of the
25 enactment of this Act, the Secretary shall submit to the

1 appropriate congressional committees a report that in-
2 cludes a description of any legislative changes the Sec-
3 retary determines are necessary in order to carry out the
4 responsibilities of the Secretary with respect to the pro-
5 grams described in section 511(a)(1) or (2), regarding—

- 6 (1) organization;
- 7 (2) hiring or compensation authorities;
- 8 (3) appropriations; or
- 9 (4) related matters, as determined by the Sec-
10 retary.

11 **SEC. 542. REPORT ON GOVERNANCE, PERFORMANCE CRI-**
12 **TERIA, AND READINESS.**

13 Not later than 90 days after the date of the enact-
14 ment of this Act, the Secretary of Veterans Affairs shall
15 submit to the appropriate congressional committees a re-
16 port describing the following:

- 17 (1) The clinical decision making structure of
18 the Department of Veterans Affairs and efforts to
19 achieve a more uniform clinical decision making
20 structure, pertaining to the Electronic Health
21 Record Modernization Program, including—
 - 22 (A) new service requirements;
 - 23 (B) workflow decisions;
 - 24 (C) change requests; and
 - 25 (D) interface needs.

1 (2) The criteria or metrics used by the Sec-
2 retary to measure improvements in the Electronic
3 Health Record Modernization Program with respect
4 to—

5 (A) end user experience;

6 (B) system stability;

7 (C) training;

8 (D) help desk ticket management; configu-
9 ration; and

10 (E) any other criteria or metrics deter-
11 mined appropriate by the Secretary.

12 (3) The most recent data reported pursuant to
13 criteria or metrics described in paragraph (2) from
14 each facility of the Veterans Health Administration
15 using the electronic health record system imple-
16 mented pursuant to the Electronic Health Record
17 Modernization Program.

18 (4) A description of steps being taken by the
19 Secretary to achieve performance goals relevant to
20 criteria or metrics described in paragraph (2).

21 (5) The standard readiness task list used in fa-
22 cilities of the Veterans Health Administration to
23 prepare for implementation of the electronic health
24 record system pursuant to the Electronic Health
25 Record Modernization Program.

1 **TITLE VI—OVERSIGHT AND**
2 **INVESTIGATIONS MATTERS**

3 **SEC. 601. DEPARTMENT OF VETERANS AFFAIRS EMPLOYEE**
4 **TRAINING REGARDING OFFICE OF INSPEC-**
5 **TOR GENERAL.**

6 (a) **TRAINING.**—The Secretary of Veterans Affairs
7 shall require each employee of the Department of Veterans
8 Affairs who begins employment with the Department on
9 or after the date of the enactment of this Act to receive
10 training that the Inspector General of the Department
11 shall develop on the reporting of wrongdoing to, respond-
12 ing to requests from, and the duty of cooperating with
13 the Office of Inspector General of the Department.

14 (b) **TIMING OF TRAINING.**—In carrying out sub-
15 section (a), the Secretary shall require each employee of
16 the Department covered under such subsection to undergo
17 the training required by such subsection not later than
18 one year after the date on which the employee begins em-
19 ployment with the Department.

20 (c) **ELEMENTS.**—Training developed and required
21 under subsection (a) shall include the following:

22 (1) Definition of the role, responsibilities, and
23 legal authority of the Inspector General of the De-
24 partment and the duties of employees of the Depart-

1 ment for engaging with the Office of Inspector Gen-
2 eral.

3 (2) Identification of Federal whistleblower pro-
4 tection rights, including the right to report fraud,
5 waste, abuse, and other wrongdoing to Congress.

6 (3) Identification of the circumstances and
7 mechanisms for reporting fraud, waste, abuse, and
8 other wrongdoing to the Inspector General, including
9 making confidential complaints to the Inspector
10 General.

11 (4) Identification of the prohibitions and rem-
12 edies that help to protect employees of the Depart-
13 ment from retaliation when reporting wrongdoing to
14 the Inspector General.

15 (5) Recognition of opportunities to engage with
16 staff of the Office of Inspector General to improve
17 programs, operations, and services of the Depart-
18 ment.

19 (6) Notification of the authority of the Inspec-
20 tor General to subpoena the attendance and testi-
21 mony of witnesses, including former employees of
22 the Department, as necessary to carry out the duties
23 of the Office of Inspector General under section 312
24 of title 38, United States Code.

1 (d) DESIGN AND UPDATE.—The Inspector General of
2 the Department shall design, and update as the Inspector
3 General considers appropriate, the training developed and
4 required by subsection (a).

5 (e) SYSTEM.—The Secretary shall provide, via the
6 talent management system of the Department, or suc-
7 cessor system, the training developed and required under
8 subsection (a).

9 (f) RELATION TO CERTAIN TRAINING.—The Sec-
10 retary shall ensure that training developed and required
11 under subsection (a) is separate and distinct from training
12 provided under section 733 of title 38, United States
13 Code.

14 (g) NOTICE TO EMPLOYEES.—The Secretary shall
15 ensure that the Inspector General is afforded the oppor-
16 tunity, not less frequently than twice each year and more
17 frequently if the Inspector General considers appropriate
18 under extraordinary circumstances, to use the electronic
19 mail system of the Department to notify all authorized
20 users of such system of the following:

21 (1) The roles and responsibilities of the employ-
22 ees of the Department when engaging with the Of-
23 fice of Inspector General.

24 (2) The availability of training provided under
25 subsection (a).

1 (3) How to access training provided under sub-
2 section (a).

3 (4) Information about how to contact the Office
4 of Inspector General, including a link to any
5 website-based reporting form of the Office.

6 **SEC. 602. ANNUAL REVIEW OF SECURITY AT COVERED FA-**
7 **CILITIES OF THE DEPARTMENT OF VET-**
8 **ERANS AFFAIRS.**

9 (a) ANNUAL SURVEY.—Not later than one year after
10 the date of the enactment of this Act, and annually there-
11 after for each of the following five fiscal years, the Sec-
12 retary of Veterans Affairs, in coordination with the Direc-
13 tor of the Office of Security and Law Enforcement of the
14 Department of Veterans Affairs, shall conduct a survey
15 of the covered employees at each covered facility to collect
16 information regarding security. Each annual survey shall
17 include questions about—

18 (1) the type and frequency of criminal activity
19 experienced at the covered facility during the fiscal
20 year which most recently concluded including wheth-
21 er or not the criminal activity was related to resi-
22 dents at the facility or campus such as those in a
23 residential rehabilitation treatment program or en-
24 hanced-use lease facility;

1 (2) the number of vacancies and number of
2 days vacant for Department police officers at the
3 covered facility at the time of the survey delineated
4 by recruitment status and stage;

5 (3) the availability and adequacy of covered
6 equipment;

7 (4) the availability and adequacy of resources,
8 classes, or other time set aside for training Depart-
9 ment police officers who work at each covered facil-
10 ity about any skill or tactic related to law enforce-
11 ment, including the proper use of force, firearms
12 qualifications and training, procedures for respond-
13 ing to an active threat, and any other training re-
14 quired for Department police officers;

15 (5) any security weakness at covered facilities;

16 (6) the relationship between the covered facility
17 (including the Department police officers who work
18 at the covered facility) and local, state, and federal
19 law enforcement agencies including what agreements
20 or memorandums of understanding exist between
21 each covered facility and external law enforcement
22 agencies;

23 (7) efforts by the personnel of the covered facil-
24 ity to address and reduce criminal activity at, or in
25 close proximity to, the covered facility; and

1 (8) recommendations for the Secretary to better
2 address and reduce criminal activity at, or in close
3 proximity to, covered facilities so as to improve the
4 safety of veterans, employees, visitors, other author-
5 ized personnel, and the surrounding community.

6 (b) REPORT.—Not later than 30 days after the end
7 of the next full Fiscal Year after the enactment of this
8 Act and for each of the following five fiscal years, the Sec-
9 retary shall submit to each of the Committees on Vet-
10 erans' Affairs of the Senate and the House of Representa-
11 tives a report regarding the results of the surveys con-
12 ducted under subsection (a) during the previous fiscal
13 year. The report shall include—

14 (1) the results of the annual survey described
15 under subsection (a) for the year covered by the re-
16 port;

17 (2) an analysis, made in coordination with the
18 Director of the Office of Security and Law Enforce-
19 ment of such Department, each director and police
20 chief of a Veterans Integrated Service Network, and
21 the directors and police chiefs of the medical centers
22 within the Veterans Integrated Service Network of
23 the results of the triannual security inspections con-
24 ducted in prior fiscal year, to include a plan of ac-
25 tion that describes how the Secretary plans to ad-

1 dress any security weakness identified in the results
2 of the triannual security inspections and includes
3 clearly-stated goals with measurable benchmarks for
4 each goal and deadlines for each benchmark; and

5 (3) a list of all vacant positions for police chief
6 or deputy police chief at each covered facility during
7 the prior fiscal year, the number of individuals who
8 filled those positions over the two years prior to the
9 date of the survey, the number of days the positions
10 were vacant without someone serving in an acting
11 capacity, and the number of days the positions were
12 filled by individuals serving in an acting capacity.

13 (c) DEFINITIONS.—In this section:

14 (1) The term “covered equipment” means any
15 item issued by the Secretary of Veterans Affairs to
16 a Department police officer (including firearms,
17 weapons detecting technology, ballistic vests, body-
18 worn cameras, and radios) for use in the provision
19 of services under section 902 of title 38, United
20 States Code.

21 (2) The term “covered employee” means an em-
22 ployee of the Department of Veterans Affairs who is
23 employed and responsible for security operations at
24 a covered facility including a covered facility’s police
25 chief, facility emergency management leader, facility

1 director, or person carrying out the responsibilities
2 of one of these positions in an acting capacity.

3 (3) The term “covered facility” means any fa-
4 cility of the Department of Veterans Affairs where
5 Department police officers have jurisdiction.

6 (4) The term “Department police officer” has
7 the meaning given to such term as used in section
8 902 of title 38, United States Code.

9 (5) The term “security weakness” means a defi-
10 ciency in the facilities, staffing, or covered equip-
11 ment at a covered facility that a covered employee
12 of the covered facility determines presents a risk to
13 the safety of visitors or staff, including an unsecured
14 door, inoperable security camera, unsecured police
15 operations room, a lack of security presence at an
16 entrance to the covered facility, and a lack of secu-
17 rity presence in an area of the covered facility or the
18 grounds of the covered facility that the director of
19 the covered facility determines requires an increased
20 security presence.

21 **SEC. 603. MODIFICATION OF CERTAIN HOUSING LOAN**
22 **FEEES.**

23 The loan fee table in section 3729(b)(2) of title 38,
24 United States Code, is amended by striking “November

- 1 15, 2031” each place it appears and inserting “September
- 2 30, 2034”.