

Committee Print

(Reflecting the actions of the Subcommittee on Health on
April 29, 2016)

114TH CONGRESS
2^D SESSION

H. R. 3471

To amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

A BILL

To amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs.

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.**

4 This Act may be cited as the “Veterans Mobility
5 Safety Act of 2016”.

1 **SEC. 2. PERSONAL SELECTIONS OF AUTOMOBILES AND**
2 **ADAPTIVE EQUIPMENT.**

3 Section 3903(b) of title 38, United States Code, is
4 amended—

5 (1) by striking “Except” and inserting “(1) Ex-
6 cept”; and

7 (2) by adding at the end the following new
8 paragraph:

9 “(2) The Secretary shall ensure that to the extent
10 practicable an eligible person who is provided an auto-
11 mobile or other conveyance under this chapter is given the
12 opportunity to make personal selections relating to such
13 automobile or other conveyance.”.

14 **SEC. 3. COMPREHENSIVE POLICY FOR THE AUTOMOBILES**
15 **ADAPTIVE EQUIPMENT PROGRAM.**

16 (a) **COMPREHENSIVE POLICY.**—The Secretary of
17 Veterans Affairs shall develop a comprehensive policy re-
18 garding quality standards for providers who provide modi-
19 fication services to veterans under the automobile adaptive
20 equipment program.

21 (b) **SCOPE.**—The policy developed under subsection
22 (a) shall cover each of the following:

23 (1) The Department of Veterans Affairs-wide
24 management of the automobile adaptive equipment
25 program.

1 (2) The development of standards for safety
2 and quality of equipment and installation of equip-
3 ment through the automobile adaptive equipment
4 program, including with respect to the defined dif-
5 ferentiations in levels of modification complexity.

6 (3) The consistent application of standards for
7 safety and quality of both equipment and installation
8 throughout the Department.

9 (4) The certification of a provider by a third
10 party organization or manufacturer if the Secretary
11 designates the quality standards of such organiza-
12 tion or manufacturer as meeting or exceeding the
13 standards developed under this section.

14 (6) The education and training of personnel of
15 the Department who administer the automobile
16 adaptive equipment program.

17 (7) The compliance of the provider with the
18 Americans with Disabilities Act of 1990 (42 U.S.C.
19 12101 et seq.) when furnishing automobile adaptive
20 equipment at the facility of the provider.

21 (c) UPDATES.—Not later than one year after the date
22 of the enactment of this Act, the Secretary shall update
23 Veterans Health Administration Handbook 1173.4, or any
24 successor handbook or directive, in accordance with the
25 policy developed under subsection (a). Not less frequently

1 than once every six years thereafter, the Secretary shall
2 update such handbook, or any successor handbook or di-
3 rective.

4 (d) CONSULTATION.—The Secretary shall develop the
5 policy under subsection (a), and revise such policy under
6 subsection (c), in consultation with veterans service orga-
7 nizations, the National Highway Transportation Adminis-
8 tration, industry representatives, manufacturers of auto-
9 mobile adaptive equipment, and other entities with exper-
10 tise in installing, repairing, replacing, or manufacturing
11 mobility equipment or developing mobility accreditation
12 standards for automobile adaptive equipment.

13 (e) CONFLICTS.—In developing and implementing the
14 policy under subsection (a), the Secretary shall minimize
15 the possibility of conflicts of interest, to the extent prac-
16 ticable.

17 (f) BIENNIAL REPORT.—

18 (1) IN GENERAL.—Not later than one year
19 after the date on which the Secretary updates Vet-
20 erans Health Administration Handbook 1173.4, or
21 any successor handbook or directive, under sub-
22 section (c), and biennially thereafter through 2022,
23 the Secretary shall submit to the Committees on
24 Veterans' Affairs of the House of Representatives
25 and the Senate a report on the implementation and

1 facility compliance with the policy developed under
2 subsection (a).

3 (2) CONTENTS.—The report required by para-
4 graph (1) shall include the following:

5 (A) A description of the implementation
6 plan for the policy developed under subsection
7 (a) and any revisions to such policy under sub-
8 section (c).

9 (B) A description of the performance
10 measures used to determine the effectiveness of
11 such policy in ensuring the safety of veterans
12 enrolled in the automobile adaptive equipment
13 program.

14 (C) An assessment of safety issues due to
15 improper installations based on a survey of re-
16 cipients of adaptive equipment from the De-
17 partment.

18 (D) An assessment of the adequacy of the
19 adaptive equipment services of the Department
20 based on a survey of recipients of adaptive
21 equipment from the Department.

22 (E) An assessment of the training provided
23 to the personnel of the Department with respect
24 to administering the program.

1 (F) An assessment of the certified pro-
2 viders of the Department of adaptive equipment
3 with respect to meeting the minimum standards
4 developed under subsection (b)(2).

5 (g) DEFINITIONS.—In this section:

6 (1) The term “automobile adaptive equipment
7 program” means the program administered by the
8 Secretary of Veterans Affairs pursuant to chapter
9 39 of title 38, United States Code.

10 (2) The term “veterans service organization”
11 means any organization recognized by the Secretary
12 for the representation of veterans under section
13 5902 of title 38, United States Code.