

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7188
OFFERED BY MR. NEHLS OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Modernizing Depart-
3 ment of Veterans Affairs Disability Benefit Question-
4 naires Act”.

**5 SEC. 2. 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 shall re-
12 quire all disability benefit questionnaire data col-
13 lected in the course of medical disability examina-
14 tions made by persons other than employees of the
15 Department of Veterans Affairs under section 504
16 of the Veterans Benefits Improvement Act of 1996
17 (Public Law 104–275; 38 U.S.C. 5101 note) to be

1 transmitted to the Department in a machine-read-
2 able format.

3 (2) ISSUANCE OF STANDARDS.—Not later than
4 90 days after the date of the enactment of this Act,
5 the Secretary of Veterans Affairs shall issue stand-
6 ards for the transmission of disability benefit ques-
7 tionnaire data in a machine-readable format as re-
8 quired under paragraph (1).

9 (3) UPDATES.—In making updates to disability
10 benefit questionnaires after the date specified in
11 paragraph (1), the Secretary shall—

12 (A) ensure that the updates are made in a
13 manner that allows for the data collected under
14 the questionnaires to be in a machine-readable
15 format as of the date on which the update goes
16 into effect; and

17 (B) not later than 60 days before an up-
18 date goes into effect, notify the persons con-
19 ducting medical disability examinations (or the
20 entities employing such persons) described in
21 such paragraph of such updates.

22 (b) PLAN FOR INFORMATION TECHNOLOGY SYSTEM
23 MODIFICATION.—Not later than 180 days after the date
24 of the enactment of this Act, the Secretary shall submit
25 to the Committees on Veterans' Affairs of the Senate and

1 House of Representatives a plan to modify the information
2 technology systems and processes of the Department to
3 enable a non-Department health care professional selected
4 by a claimant to transmit to the Department, in a ma-
5 chine-readable format, disability benefit questionnaire
6 data, including complete disability benefit questionnaires
7 rather than partial questionnaires or individual elements
8 of medical evidence.

9 (c) PUBLIC AVAILABILITY OF INFORMATION.—The
10 Secretary shall make publicly available on the internet
11 website of the Department referred to in section 5101(d)
12 of title 38, United States Code—

13 (1) a description of the standards issued under
14 subsection (a)(2); and

15 (2) the plan required under subsection (b).

16 (d) DEFINITIONS.—In this section:

17 (1) The term “claimant” has the meaning given
18 such term in section 5100 of title 38, United States
19 Code.

20 (2) The term “machine-readable” has the
21 meaning given such term in section 3502(18) of title
22 44, United States Code.

1 **SEC. 3. DEPARTMENT OF VETERANS AFFAIRS AUTOMATIC**
2 **PROCESSING OF CERTAIN CLAIMS FOR TEM-**
3 **PORARY DISABILITY RATINGS.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of the enactment of this Act, the Secretary of Vet-
6 erans Affairs shall modify the information technology sys-
7 tems of the Department of Veterans Affairs to provide for
8 the automatic processing of claims for temporary disability
9 ratings for veterans described in section 1156(a)(1)(C) of
10 title 38, United States Code.

11 (b) ADDITIONAL REQUIREMENTS.—In providing for
12 the automatic processing of claims as required under sub-
13 section (a), the Secretary shall ensure that—

14 (1) medical evidence is obtained from the cor-
15 porate data warehouse of the Department;

16 (2) employees of the Department continue to
17 determine whether a veteran is eligible for a tem-
18 porary disability rating under section 1156(a)(1)(C)
19 of title 38, United States Code; and

20 (3) claims may be processed manually if the
21 evidence of record is not sufficient to decide the
22 claim or if the medical evidence is provided in a for-
23 mat that is not compatible with the system devel-
24 oped under subsection (a).

