

[Subcommittee Print]

[Reflecting the actions of the Subcommittee on Disability and Memorial Affairs of the Committee on Veterans' Affairs on November 29, 2023]

118TH CONGRESS
1ST SESSION

H. R. 5938

To amend the Veterans' Benefits Improvements Act of 1996 and the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 to improve the temporary licensure requirements for contract health care professionals who perform medical disability examinations for the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

A BILL

To amend the Veterans' Benefits Improvements Act of 1996 and the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 to improve the temporary licensure requirements for contract health care professionals who perform medical disability examinations for the Department 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.**

4 This Act may be cited as the “Veterans Exam Expan-
5 sion Act of 2023”.

6 **SEC. 2. IMPROVEMENTS TO TEMPORARY LICENSURE RE-**
7 **QUIREMENTS FOR CONTRACT HEALTH CARE**
8 **PROFESSIONALS WHO PERFORM MEDICAL**
9 **DISABILITY EXAMINATIONS FOR THE DE-**
10 **PARTMENT OF VETERANS AFFAIRS.**

11 (a) EXPANSION.—

12 (1) IN GENERAL.—Section 504(c)(2) of the
13 Veterans’ Benefits Improvements Act of 1996 (Pub-
14 lic Law 104–275; 38 U.S.C. 5101 note), as amended
15 by paragraph (1) of subsection (a) of section 2002
16 of the Johnny Isakson and David P. Roe, M.D. Vet-
17 erans Health Care and Benefits Improvement Act of
18 2020 (Public Law 116–315; 38 U.S.C. 5101 note),
19 is further amended, subject to the sunset in para-
20 graph (4) of such subsection—

21 (A) in the matter preceding subparagraph
22 (A), by striking “or psychologist” inserting
23 “psychologist, podiatrist, dentist, optometrist,
24 or other health care professional specified in
25 regulations prescribed by the Secretary”; and

1 (B) in subparagraph (A), by striking “the
2 physician, physician assistant, nurse practi-
3 tioner, audiologist, or psychologist, as the case
4 may be” and inserting “such health care profes-
5 sional”.

6 (2) CONFORMING AMENDMENT.—Paragraph (2)
7 of such subsection is amended by striking “physician
8 assistants, nurse practitioners, audiologists, and psy-
9 chologists” and inserting “health care profes-
10 sionals”.

11 (b) REPORT.—Not later than 15 months after the
12 date of the enactment of this Act, the Secretary of Vet-
13 erans Affairs shall submit to the Committees on Veterans’
14 Affairs of the Senate and House of Representatives a re-
15 port regarding the use of the authority under section 504
16 of the Veterans’ Benefits Improvements Act of 1996 (Pub-
17 lic Law 104–275; 38 U.S.C. 5101 note), as temporarily
18 amended by section 2002(a)(1) of the Johnny Isakson and
19 David P. Roe, M.D. Veterans Health Care and Benefits
20 Improvement Act of 2020 (Public Law 116–315; 38
21 U.S.C. 5101 note) and by subsection (a). Such report shall
22 include, with respect to the one-year period after the date
23 of the enactment of this Act, the following elements:

24 (1) The number of examinations conducted pur-
25 suant to a contract under such authority.

1 (2) The number of such examinations con-
2 ducted in each State, the District of Columbia, or a
3 Commonwealth, territory, or possession of the
4 United States.

5 (3) The numbers of each kind of health care
6 professionals who conducted such examinations.

7 (4) The number of examinations that were erro-
8 neously conducted by a health care professional—

9 (A) without such a contract; or

10 (B) unauthorized to enter into such a con-
11 tract.

12 (5) The plan of the Secretary to correct errors
13 in the use of such authority.