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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to clarify and improve the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To amend title 38, United States Code, to clarify and improve the program of comprehensive assistance for family caregivers of 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,*

1 **SEC. 2. CLARIFICATION AND IMPROVEMENT OF PROGRAM**
2 **OF COMPREHENSIVE ASSISTANCE FOR FAM-**
3 **ILY CAREGIVERS OF THE DEPARTMENT OF**
4 **VETERANS AFFAIRS.**

5 (a) CLARIFICATION RELATED TO APPEALS.—Section
6 1720G(a) of title 38, United States Code, is amended by
7 adding at the end the following new paragraph:

8 “(14) The review of any decision affecting the fur-
9 nishing of assistance under this subsection shall be subject
10 to the clinical appeals process of the Department, and
11 such decisions may not be appealed to the Board of Vet-
12 erans’ Appeals.”.

13 (b) ACCELERATED IMPLEMENTATION OF PRO-
14 GRAM.—Such section is further amended in paragraph
15 (2)(B)—

16 (1) in clause (ii)—

17 (A) by striking “2-year”; and

18 (B) by inserting “and ending on a date de-
19 termined by the Secretary that is not later than
20 two years after the date on which the Secretary
21 submitted such certification” after “clause (i)”;
22 and

23 (2) in clause (iii), by striking “that is 2 years
24 after the date on which the Secretary submits to
25 Congress the certification described in clause (i)”

1 and inserting “determined by the Secretary pursu-
2 ant to clause (ii)”.

3 (c) QUARTERLY REPORT ON DENIALS BASED ON
4 BEST MEDICAL INTEREST.—

5 (1) REPORTS.—Not later than 90 days after
6 the date of the enactment of this Act, and quarterly
7 thereafter, the Secretary of Veterans Affairs shall
8 submit to the Committees on Veterans’ Affairs of
9 the House of Representatives and the Senate a re-
10 port specifying the total number of applications sub-
11 mitted to the Secretary for participation in the pro-
12 gram established under section 1720G(a) of title 38,
13 United States Code, that have been denied based on
14 a determination that such participation is not in the
15 best medical interest of an eligible veteran.

16 (2) DISAGGREGATION OF DATA.—The number
17 of denied applications specified in each report under
18 paragraph (1) shall be disaggregated by—

19 (A) Centralized Eligibility and Appeals
20 Team; or

21 (B) with respect to denials that were not
22 made by a Centralized Eligibility and Appeals
23 Team, facility of the Department.

24 (3) PATIENT PRIVACY.—In carrying out this
25 subsection, the Secretary shall ensure measures are

1 in place to protect patient privacy, including to pro-
2 tect against disclosures of protected health informa-
3 tion not authorized under regulations promulgated
4 under section 264(c) of the Health Insurance Port-
5 ability and Accountability Act of 1996 (Public Law
6 104–191; 42 U.S.C. 1320d–2 note).

7 (d) APPLICABILITY.—The amendment made by sub-
8 section (a) shall apply with respect to reviews occurring
9 on or after the date of the enactment of this Act.