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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To direct the Secretary of Veterans Affairs to seek to enter into a memorandum of understanding with the Secretary of Health and Human Services to avoid duplicative, improper, or erroneous billings or payments for hospital care and medical services furnished under the laws administered by the Secretary of Veterans Affairs.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. BRESNAHAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To direct the Secretary of Veterans Affairs to seek to enter into a memorandum of understanding with the Secretary of Health and Human Services to avoid duplicative, improper, or erroneous billings or payments for hospital care and medical services furnished under the laws administered by the Secretary 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protect Seniors and  
3 Veterans from Health Care Fraud Act of 2026”.

4 **SEC. 2. MEMORANDUM OF UNDERSTANDING FOR RECIP-**  
5 **ROCAL ACCESS TO CERTAIN HEALTH CARE**  
6 **DATA BETWEEN THE SECRETARY OF VET-**  
7 **ERANS AFFAIRS AND THE SECRETARY OF**  
8 **HEALTH AND HUMAN SERVICES.**

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, for purposes of avoiding duplicative,  
12 improper, or erroneous billings or payments for hospital  
13 care and medical services furnished under the laws admin-  
14 istered by the Secretary of Veterans Affairs, seek to enter  
15 into a memorandum of understanding with the Secretary  
16 of Health and Human Services with respect to reciprocal  
17 access between the Veterans Health Administration and  
18 the Centers for Medicare and Medicaid Services to data  
19 and information on veterans who are concurrently enrolled  
20 in the patient enrollment system under section 1705(a)  
21 of title 38, United States Code, and—

- 22 (1) the Medicare program;  
23 (2) the Medicaid program; or  
24 (3) a Medicare Advantage plan.

1 (b) AGREEMENT.—The memorandum of under-  
2 standing required under subsection (a) shall include an  
3 agreement through which—

4 (1) the Secretary of Veterans Affairs transmits  
5 to the Secretary of Health and Human Services—

6 (A) information relating to veterans who  
7 are—

8 (i) enrolled in such system for patient  
9 enrollment; and

10 (ii) in receipt of hospital care or med-  
11 ical services under laws administered by  
12 the Secretary of Veterans Affairs; and

13 (B) such other information as the Sec-  
14 retary of Veterans Affairs determines appro-  
15 priate, including billing codes and diagnostic  
16 codes for such hospital care or medical services;  
17 and

18 (2) the Secretary of Health and Human Serv-  
19 ices—

20 (A) uses information transmitted pursuant  
21 to paragraph (1) to identify veterans who are  
22 concurrently enrolled in such system for patient  
23 enrollment and—

24 (i) the Medicare program;

25 (ii) the Medicaid program; or

1 (iii) a Medicare Advantage plan; and

2 (B) transmits to the Secretary of Veterans

3 Affairs—

4 (i) a list of the veterans identified  
5 pursuant to subparagraph (A); and

6 (ii) such other information as the Sec-  
7 retary of Health and Human Services de-  
8 termines appropriate.

9 (c) TERM.—The memorandum of understanding re-  
10 quired under subsection (a) shall be effective for a two-  
11 year period beginning on the date on which the Secretary  
12 of Veterans Affairs enters into such memorandum.

13 (d) REPORT.—Not later than one year after the date  
14 on which the Secretary of Veterans Affairs enters into the  
15 memorandum of understanding required under subsection  
16 (a), and on an biennial basis thereafter during the period  
17 such memorandum is effective, the Secretary shall submit  
18 to the Committees on Veterans' Affairs of the House of  
19 Representatives and the Senate a report that includes—

20 (1) a summary of the activities of the Secretary  
21 carried out pursuant to such memorandum; and

22 (2) an assessment of the Secretary with respect  
23 to the effectiveness of such memorandum in avoiding  
24 duplicative, improper, or erroneous billings or pay-  
25 ments for hospital care and medical services fur-

1 nished under the laws administered by the Sec-  
2 retary.

3 (e) DEFINITIONS.—In this section:

4 (1) The term “Medicaid program” means the  
5 program of medical assistance established under title  
6 XIX of the Social Security Act (42 U.S.C. 1396 et  
7 seq.).

8 (2) The term “Medicare Advantage plan”  
9 means a Medicare Advantage plan under the pro-  
10 gram established under part C of title XVIII of the  
11 Social Security Act (42 U.S.C. 1395w–21 et seq.).

12 (3) The term “Medicare program” means the  
13 Medicare program under such title.