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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To improve the Foreign Medical Program 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 improve the Foreign Medical Program 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Medical Pro-
5 gram Integrity and Improvement Act”.

1 **SEC. 2. FOREIGN MEDICAL PROGRAM OF THE DEPART-**
2 **MENT OF VETERANS AFFAIRS: RATES OF PAY-**
3 **MENT; OVERSIGHT.**

4 (a) RATES OF PAYMENT.—Section 1724 of title 38,
5 United States Code, is amended by adding at the end the
6 following new subsection:

7 “(g)(1) Subject to paragraph (2), the rate paid for
8 hospital care or medical services under this section shall
9 be the lesser of—

10 “(A) the amount billed for such hospital care or
11 medical services; or

12 “(B) the rate paid by the United States to a
13 provider of services (as defined in section 1861(u) of
14 the Social Security Act (42 U.S.C. 1395x(u))) or a
15 supplier (as defined in section 1861(d) of such Act
16 (42 U.S.C. 1395x(d))) under the Medicare program
17 under title XVIII of the Social Security Act (42
18 U.S.C. 1301 et seq.), including section 1834 of such
19 Act (42 U.S.C. 1395m), for the same care or serv-
20 ices.

21 “(2) The Secretary may make a payment in excess
22 of the rate determined under paragraph (1) to ensure that
23 a veteran has access to hospital care or medical services,
24 including in an emergency.”.

25 (b) IN THE CASE OF A DECEASED VETERAN OR PRO-
26 VIDER.—Section 1724 of title 38, United States Code, is

1 amended by adding at the end the following new sub-
2 section:

3 “(h)(1) The Secretary may not use any Federal funds
4 to pay for hospital care or medical services furnished
5 under this section—

6 “(A)(i) to an individual who appears in the
7 Death Master File; or

8 “(ii) by an individual who appears in the Death
9 Master File; and

10 “(B) after the date of death of such individual.

11 “(2) In this subsection, the term ‘Death Master File’
12 has the meaning given such term in section 203 of the
13 Bipartisan Budget Act of 2013 (Public Law 113–167; 42
14 U.S.C. 1306c).”.

15 (c) IN CASES OF FRAUD.—Section 1724 of title 38,
16 United States Code, is further amended by adding at the
17 end the following new subsections:

18 “(i) In the case of a claim for payment for hospital
19 care or medical services furnished under this section that
20 the Secretary suspects constitutes fraud, waste or abuse,
21 the Secretary—

22 “(1) shall refer such claim to the Inspector
23 General of the Department;

24 “(2) may withhold such payment during the in-
25 vestigation of such claim;

1 “(3) shall approve the claim and release such
2 payment as soon as practicable if the Inspector Gen-
3 eral determines that the claim is proper; and

4 “(4) shall, if the Inspector General determines
5 that such claim constitutes fraud, waste or abuse—

6 “(A) deny the claim; and

7 “(B) take action the Secretary determines
8 appropriate to recover any Federal funds al-
9 ready paid in relation to such claim, claimant,
10 or provider.

11 “(j)(1) The Secretary shall maintain a list of pro-
12 viders of hospital care or medical services furnished under
13 this section who have submitted fraudulent claims for such
14 care or services.

15 “(2) The Secretary may not use any Federal funds
16 to pay for hospital care or medical services furnished
17 under this section by a provider whose name appears on
18 the list.

19 “(3) Each time the Secretary adds the name of a pro-
20 vider to the list, the Secretary shall distribute the list elec-
21 tronically to veterans registered in a program under this
22 section.

23 “(j) The Secretary shall designate a Fraud Detection
24 and Prevention Coordinator to carry out subsections (h),
25 (i), and (j) of this section.”.

1 (d) AUTHORITY TO CONTRACT.—

2 (1) IN GENERAL.—Section 1724 of title 38,
3 United States Code, is further amended by adding
4 at the end the following new subsection:

5 “(k) The Secretary may enter into an agreement with
6 an entity pursuant to which such entity shall serve as a
7 third-party administrator of claims for hospital care or
8 medical services furnished under this section.”.

9 (2) TEMPORARY EXPANSION.—The Secretary of
10 Veterans Affairs may enter into an agreement with
11 an entity pursuant to which such entity shall provide
12 to the Secretary access to an information technology
13 system for the administration of claims for care or
14 services furnished under such section. If the Sec-
15 retary exercises such authority, the Secretary shall
16 ensure that implementation of such system is com-
17 plete not later than one year after the date of the
18 enactment of this Act.