

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 1530**  
**OFFERED BY Mr. LUTVELL**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2       This Act may be cited as the “Veterans Benefits Im-  
3 provement Act of 2023”.

4 **SEC. 2. IMPROVEMENT OF PUBLICATION OF DEPARTMENT**  
5 **OF VETERANS AFFAIRS DISABILITY BENEFIT**  
6 **QUESTIONNAIRE FORMS.**

7       Section 5101 of title 38, United States Code, is  
8 amended—

9           (1) in subsection (d)—

10               (A) in paragraph (1)(A), by inserting “,  
11 including (except as provided in paragraph  
12 (4)(A)) all disability benefit questionnaire forms  
13 available to personnel of the Veterans Health  
14 Administration and covered non-Department  
15 providers for the completion of examinations  
16 with respect to medical disability of applicants  
17 for benefits under laws administered by the  
18 Secretary” before the semicolon; and

1 (B) by adding at the end the following new  
2 paragraph:

3 “(4)(A) The Secretary may exclude from publication  
4 under clauses (i) and (ii) of paragraph (1)(A) any form  
5 described in subparagraph (B) of this paragraph that the  
6 Secretary determines could not reasonably be completed  
7 to a clinically acceptable standard by someone not an em-  
8 ployee or a contractor of the Department.

9 “(B) A form described in this subparagraph is a form  
10 that—

11 “(i) was available or in use at any time after  
12 the date of the enactment of the Veterans Benefits  
13 Act of 2023; and

14 “(ii) has not been published under paragraph  
15 (1).

16 “(C) The Secretary shall include on the same internet  
17 website as the website on which forms are published under  
18 paragraph (1)(A) a list of forms that have been excluded  
19 from publication pursuant to subparagraph (A), and for  
20 each such form, a justification for the exclusion of the  
21 form from publication.”; and

22 (2) in subsection (e), by adding at the end the  
23 following new paragraph:

24 “(3) The term ‘covered non-Department pro-  
25 vider’ means a medical provider who is not an em-

1 ployee of the Department and who provides exami-  
2 nations with respect to medical disability of appli-  
3 cants for benefits under laws administered by the  
4 Secretary pursuant to a contract with the Depart-  
5 ment.”.

6 **SEC. 3. IMPROVEMENT OF PROVISION OF MEDICAL DIS-**  
7 **ABILITY EXAMINATIONS BY CONTRACTORS.**

8 (a) REPORT ON IMPROVING REIMBURSEMENT FOR  
9 TRAVEL RELATING TO MEDICAL DISABILITY EXAMINA-  
10 TIONS.—Not later than one year after the date of the en-  
11 actment of this Act, the Secretary of Veterans Affairs,  
12 after consulting with the Secretary of State and the Com-  
13 missioner of the Social Security Administration, shall sub-  
14 mit to the Committees on Veterans’ Affairs of the Senate  
15 and the House of Representatives a report on the efforts  
16 of the Secretary to reimburse veterans for expenses in-  
17 curred traveling to a facility of the Department or of a  
18 covered non-Department provider incident to an examina-  
19 tion with respect to the medical disability of the veteran  
20 for purposes of benefits under the laws administered by  
21 the Secretary, regardless of whether the facility is located  
22 inside or outside the United States.

23 (b) COMMUNICATION BY NON-DEPARTMENT PRO-  
24 VIDERS PROVIDING MEDICAL DISABILITY EXAMINATIONS  
25 WITH INDIVIDUALS AND ORGANIZATIONS DESIGNATED

1 FOR PREPARATION, PRESENTATION, AND PROSECUTION  
2 OF CLAIMS.—Any contract entered into by the Secretary  
3 of Veterans Affairs after the date of the enactment of this  
4 Act under which a covered non-Department provider  
5 agrees to provide examinations with respect to medical dis-  
6 ability for applicants for benefits under the laws adminis-  
7 tered by the Secretary, shall include a requirement that  
8 every communication from the covered non-Department  
9 provider to such an applicant regarding the scheduling of  
10 a covered medical disability examination be contempora-  
11 neously transmitted to any person or organization—

12 (1) designated by the applicant by a power of  
13 attorney filed with the Secretary; and

14 (2) recognized under sections 5902, 5903, and  
15 5904 of title 38, United States Code, for the prepa-  
16 ration, presentation, and prosecution of claims.

17 (c) DEPARTMENT OF VETERANS AFFAIRS OUTREACH  
18 REGARDING CONTACT INFORMATION FOR CONTRACTORS  
19 PROVIDING COVERED MEDICAL DISABILITY EXAMINA-  
20 TIONS.—Not later than 120 days after the date of enact-  
21 ment of this Act, the Secretary of Veterans Affairs, in  
22 partnership with veterans service organizations and such  
23 other stakeholders as the Secretary considers relevant and  
24 appropriate, shall implement an outreach program to pro-  
25 vide veterans with the following information:

1           (1) Contact information for covered non-De-  
 2           partment providers that provide examinations with  
 3           respect to medical disability of applicants for bene-  
 4           fits under laws administered by the Secretary, in-  
 5           cluding the telephone numbers such providers may  
 6           use to contact veterans.

7           (2) Notice of the requirement for a veteran to  
 8           provide personally identifiable information to such a  
 9           provider when contacted in order to verify the iden-  
 10          tity of the veteran.

11          (d) COVERED NON-DEPARTMENT PROVIDER.—In  
 12          this section, the term “covered non-Department provider”  
 13          means a medical provider who is not an employee of the  
 14          Department of Veterans Affairs and who provides exami-  
 15          nations with respect to medical disability of applicants for  
 16          benefits under laws administered by the Secretary of Vet-  
 17          erans Affairs pursuant to a contract with the Department.

18       **SEC. 4. REPORT ON SUPPORTING GOVERNMENTAL VET-**  
 19                           **ERANS SERVICE OFFICERS WHO PREPARE,**  
 20                           **PRESENT, AND PROSECUTE BENEFITS**  
 21                           **CLAIMS BEFORE DEPARTMENT OF VETERANS**  
 22                           **AFFAIRS.**

23          (a) REPORT.—Not later than one year after the date  
 24          of the enactment of this Act and after consulting veterans  
 25          service organizations and such other stakeholders as the

1 Secretary of Veterans Affairs considers relevant and ap-  
2 propriate, the Secretary shall submit to the Committee on  
3 Veterans' Affairs of the Senate and the House of Rep-  
4 resentatives a report on improving the support by the De-  
5 partment of Veterans Affairs of covered governmental vet-  
6 erans service officers.

7 (b) ELEMENTS.—The report submitted under sub-  
8 section (a) shall include the following:

9 (1) An assessment of the feasibility, advis-  
10 ability, and current technical limitations of providing  
11 covered governmental veterans service officers en-  
12 hanced access to certain Department systems to bet-  
13 ter serve veterans those governmental service officers  
14 may not have authorization to represent.

15 (2) An assessment as to whether the Depart-  
16 ment would benefit from the establishment or des-  
17 ignation of an office or working group within the  
18 Department to serve as an intergovernmental liaison  
19 between the Department and governmental veterans  
20 service officers.

21 (3) Any other recommendations to improve how  
22 the Department monitors, coordinates with, or pro-  
23 vides support to covered governmental veterans serv-  
24 ice officers.

25 (c) DEFINITIONS.—In this section:

1           (1) The term “covered governmental veterans  
2 service officer” means an employee of a State, coun-  
3 ty, municipal, or Tribal government—

4                   (A) who is recognized by the Secretary of  
5 Veterans Affairs as a representative of a vet-  
6 erans service organization to serve as a veterans  
7 service officer; and

8                   (B) whose primary responsibilities include  
9 preparing, presenting, and prosecuting before  
10 the Department of Veterans Affairs claims for  
11 benefits under laws administered by the Sec-  
12 retary.

13           (2) The term “veterans service organization”  
14 means an organization recognized by the Secretary  
15 for the representation of veterans under section  
16 5902 of title 38, United States Code.



