

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5938**

OFFERED BY Mr. GISSOMANI of Arizona

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

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

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

9 (a) EXPANSION.—

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

1 (A) in the matter preceding subparagraph
2 (A), by striking “or psychologist” inserting
3 “psychologist, podiatrist, dentist, optometrist,
4 or other health care professional specified in
5 regulations prescribed by the Secretary”; and

6 (B) in subparagraph (A), by striking “the
7 physician, physician assistant, nurse practi-
8 tioner, audiologist, or psychologist, as the case
9 may be” and inserting “such health care profes-
10 sional”.

11 (2) CONFORMING AMENDMENT.—Paragraph (2)
12 of such subsection is amended by striking “physician
13 assistants, nurse practitioners, audiologists, and psy-
14 chologists” and inserting “health care profes-
15 sionals”.

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

1 U.S.C. 5101 note) and by subsection (a). Such report shall
2 include, with respect to the one-year period after the date
3 of the enactment of this Act, the following elements:

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

6 (2) The number of such examinations con-
7 ducted in each State, the District of Columbia, or a
8 Commonwealth, territory, or possession of the
9 United States.

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

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

14 (A) without such a contract; or

15 (B) unauthorized to enter into such a con-
16 tract.

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

