

118TH CONGRESS
1ST SESSION

H. R. 5890

To amend title 38, United States Code, to limit the authority of the Secretary of Veterans Affairs to deny the claim of a veteran for benefits under the laws administered by such Secretary on the sole basis that such veteran failed to appear for a medical examination associated with such claim.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 2023

Mr. LUTTRELL introduced the following bill

OCTOBER 25, 2023

Referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to limit the authority of the Secretary of Veterans Affairs to deny the claim of a veteran for benefits under the laws administered by such Secretary on the sole basis that such veteran failed to appear for a medical examination associated with such claim.

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 “Review Every Veterans
5 Claim Act of 2023”.

1 **SEC. 2. PROHIBITION ON DENIAL OF CLAIMS FOR BENE-**
2 **FITS UNDER LAWS ADMINISTERED BY SEC-**
3 **RETARY OF VETERANS AFFAIRS ON SOLE**
4 **BASIS THAT VETERAN FAILED TO APPEAR**
5 **FOR CERTAIN MEDICAL EXAMINATION.**

6 Subsection (d) of section 5103A of title 38, United
7 States Code, is amended—

8 (1) in the heading, by striking “COMPENSATION
9 CLAIMS” and inserting “CLAIMS FOR BENEFITS”;

10 (2) in paragraph (2), by striking “treat an ex-
11 amination or opinion as being necessary to make a
12 decision on a claim for purposes of” and inserting
13 “provide for a medical examination or obtain a med-
14 ical opinion under”; and

15 (3) by adding at the end the following new
16 paragraph:

17 “(3) If a veteran fails to appear for a medical exam-
18 ination provided by the Secretary in conjunction with a
19 claim for a benefit under a law administered by the Sec-
20 retary, the Secretary may not deny such claim on the sole
21 basis that such veteran failed to appear for such medical
22 examination.”.

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