

117TH CONGRESS
2D SESSION

S. 2533

AN ACT

To improve mammography services furnished by 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,*

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

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “Making Advances in Mammography and Medical Options
 4 for Veterans Act”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SCREENING AND EARLY DETECTION

Sec. 101. Strategic plan for breast imaging services for veterans.

Sec. 102. Telescreening mammography pilot program of Department of Veterans Affairs.

Sec. 103. Upgrade of breast imaging at facilities of Department of Veterans Affairs to three-dimensional digital mammography.

Sec. 104. Study on availability of testing for breast cancer gene among veterans and expansion of availability of such testing.

Sec. 105. Mammography accessibility for paralyzed and disabled veterans.

Sec. 106. Report on access to and quality of mammography screenings furnished by Department of Veterans Affairs.

TITLE II—PARTNERSHIPS FOR RESEARCH AND ACCESS TO CARE

Sec. 201. Partnerships with National Cancer Institute to expand access of veterans to cancer care.

Sec. 202. Report by Department of Veterans Affairs and Department of Defense on interagency collaboration on treating and researching breast cancer.

7 **TITLE I—SCREENING AND**
 8 **EARLY DETECTION**

9 **SEC. 101. STRATEGIC PLAN FOR BREAST IMAGING SERVICES FOR VETERANS.**
 10

11 (a) **IN GENERAL.**—Not later than one year after the
 12 date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a strategic plan for
 15 improving breast imaging services for veterans.
 16

1 (b) ELEMENTS.—The strategic plan required by sub-
2 section (a) shall—

3 (1) cover the evolving needs of women veterans;

4 (2) address geographic disparities of breast im-
5 aging furnished at a facility of the Department of
6 Veterans Affairs and the use of breast imaging
7 through non-Department providers in the commu-
8 nity;

9 (3) address the use of digital breast
10 tomosynthesis (DBT–3D breast imaging);

11 (4) address the needs of male veterans who re-
12 quire breast cancer screening services; and

13 (5) provide recommendations on—

14 (A) potential expansion of breast imaging
15 services furnished at facilities of the Depart-
16 ment, including infrastructure and staffing
17 needs;

18 (B) the use of digital breast tomosynthesis;

19 (C) the use of mobile mammography; and

20 (D) other access and equity improvements
21 for breast imaging.

1 **SEC. 102. TELESCREENING MAMMOGRAPHY PILOT PRO-**
2 **GRAM OF DEPARTMENT OF VETERANS AF-**
3 **FAIRS.**

4 (a) IN GENERAL.—Commencing not later than 18
5 months after the date of the enactment of this Act, the
6 Secretary of Veterans Affairs shall carry out a pilot pro-
7 gram to provide telescreening mammography services for
8 veterans who live in—

9 (1) States where the Department of Veterans
10 Affairs does not offer breast imaging services at a
11 facility of the Department; or

12 (2) locations where access to breast imaging
13 services at a facility of the Department is difficult
14 or not feasible, as determined by the Secretary.

15 (b) DURATION.—The Secretary shall carry out the
16 pilot program under subsection (a) for a three-year period
17 beginning on the commencement of the pilot program.

18 (c) LOCATIONS.—In carrying out the pilot program
19 under subsection (a), the Secretary may use community-
20 based outpatient clinics, mobile mammography, Federally
21 qualified health centers (as defined in section 1861(aa)(4)
22 of the Social Security Act (42 U.S.C. 1395x(aa)(4))),
23 rural health clinics, critical access hospitals, clinics of the
24 Indian Health Service, and such other sites as the Sec-
25 retary determines feasible to provide mammograms under
26 the pilot program.

1 (d) SHARING OF IMAGES AND RESULTS.—Under the
2 pilot program under subsection (a)—

3 (1) mammography images generated shall be
4 sent to a telescreening mammography center of the
5 Department for interpretation by qualified radiolo-
6 gists; and

7 (2) results shall be shared with the veteran and
8 their primary care provider in accordance with poli-
9 cies established by the Secretary.

10 (e) REPORT.—

11 (1) IN GENERAL.—Not later than one year
12 after the conclusion of the pilot program under sub-
13 section (a), the Secretary shall submit to the Com-
14 mittee on Veterans' Affairs of the Senate and the
15 Committee on Veterans' Affairs of the House of
16 Representatives a report evaluating the pilot pro-
17 gram.

18 (2) ELEMENTS.—The report required by para-
19 graph (1) shall include the following:

20 (A) An assessment of the quality of the
21 mammography provided under the pilot pro-
22 gram under subsection (a).

23 (B) Feedback from veterans and providers
24 participating in the pilot program.

1 (C) A recommendation of the Secretary on
2 the continuation or discontinuation of the pilot
3 program.

4 **SEC. 103. UPGRADE OF BREAST IMAGING AT FACILITIES OF**
5 **DEPARTMENT OF VETERANS AFFAIRS TO**
6 **THREE-DIMENSIONAL DIGITAL MAMMOG-**
7 **RAPHY.**

8 Not later than two years after the date of the enact-
9 ment of this Act, the Secretary of Veterans Affairs shall—

10 (1) upgrade all mammography services at facili-
11 ties of the Department of Veterans Affairs that pro-
12 vide such services to use digital breast tomosynthesis
13 technology, also known as three-dimensional breast
14 imaging; and

15 (2) submit to the Committee on Veterans' Af-
16 fairs of the Senate and the Committee on Veterans'
17 Affairs of the House of Representatives a report—

18 (A) indicating that the upgrade under
19 paragraph (1) has been completed; and

20 (B) listing the facilities or other locations
21 of the Department at which digital breast
22 tomosynthesis technology is used.

1 **SEC. 104. STUDY ON AVAILABILITY OF TESTING FOR**
2 **BREAST CANCER GENE AMONG VETERANS**
3 **AND EXPANSION OF AVAILABILITY OF SUCH**
4 **TESTING.**

5 (a) STUDY.—

6 (1) IN GENERAL.—The Secretary of Veterans
7 Affairs shall conduct a study on the availability of
8 access to testing for the breast cancer gene for vet-
9 erans diagnosed with breast cancer, as recommended
10 by the guidelines set forth by the National Com-
11 prehensive Cancer Network.

12 (2) ELEMENTS.—In conducting the study under
13 paragraph (1), the Secretary shall examine—

14 (A) the feasibility of expanding the Joint
15 Medicine Service of the Department of Veterans
16 Affairs to provide genetic testing and coun-
17 seling for veterans with breast cancer across the
18 country; and

19 (B) access to such testing and counseling
20 for veterans living in rural or highly rural
21 areas, and any gaps that may exist with respect
22 to such access.

23 (b) EXPANSION OF AVAILABILITY OF TESTING.—

24 (1) IN GENERAL.—The Secretary shall update
25 guidelines or institute new guidelines to increase the
26 use of molecular testing and genetic counseling for

1 veterans diagnosed with breast cancer, including vet-
2 erans living in rural or highly rural areas.

3 (2) DECISION SUPPORT TOOLS.—In updating or
4 instituting guidelines under paragraph (1), the Sec-
5 retary may develop clinical decision support tools,
6 such as clinical pathways, to facilitate delivery of
7 breast cancer care that is in line with national can-
8 cer guidelines.

9 (c) REPORT.—Not later than two years after the date
10 of the enactment of this Act, the Secretary shall submit
11 to the Committee on Veterans' Affairs of the Senate and
12 the Committee on Veterans' Affairs of the House of Rep-
13 resentatives a report on—

14 (1) the results of the study under subsection
15 (a);

16 (2) any updates to guidelines or new guidelines
17 instituted under subsection (b);

18 (3) breast cancer clinical pathways implemented
19 by the Department of Veterans Affairs and the utili-
20 zation of those pathways across the Department;
21 and

22 (4) any progress of the Department in improv-
23 ing access to and usage of molecular and genetic
24 testing among veterans diagnosed with breast can-

1 cer, including for veterans living in rural or highly
2 rural areas.

3 (d) DEFINITIONS.—In this section, the terms “rural”
4 and “highly rural” have the meanings given those terms
5 in the Rural-Urban Commuting Areas coding system of
6 the Department of Agriculture.

7 **SEC. 105. MAMMOGRAPHY ACCESSIBILITY FOR PARALYZED**
8 **AND DISABLED VETERANS.**

9 (a) STUDY.—

10 (1) IN GENERAL.—The Secretary of Veterans
11 Affairs shall conduct a study on the accessibility of
12 breast imaging services at facilities of the Depart-
13 ment of Veterans Affairs for veterans with paralysis,
14 spinal cord injury or disorder (SCI/D), or another
15 disability.

16 (2) ACCESSIBILITY.—The study required by
17 paragraph (1) shall include an assessment of the ac-
18 cessibility of the physical infrastructure at breast
19 imaging facilities of the Department, including the
20 imaging equipment, transfer assistance, and the
21 room in which services will be provided as well as
22 adherence to best practices for screening and treat-
23 ing veterans with a spinal cord injury or disorder.

24 (3) SCREENING RATES.—

1 (A) MEASUREMENT.—The study required
2 by paragraph (1) shall include a measurement
3 of breast cancer screening rates for veterans
4 with a spinal cord injury or disorder during the
5 two-year period preceding the commencement of
6 the study, including a breakout of the screening
7 rates for such veterans living in rural or highly
8 rural areas.

9 (B) DEVELOPMENT OF METHOD.—If the
10 Secretary is unable to provide the measurement
11 required under subparagraph (A), the Secretary
12 shall develop a method to track breast cancer
13 screening rates for veterans with a spinal cord
14 injury or disorder.

15 (4) REPORT.—Not later than two years after
16 the date of the enactment of this Act, the Secretary
17 shall submit to the Committee on Veterans' Affairs
18 of the Senate and the Committee on Veterans' Af-
19 fairs of the House of Representatives a report on the
20 findings of the study required by paragraph (1), in-
21 cluding—

22 (A) the rates of screening among veterans
23 with a spinal cord injury or disorder, including
24 veterans living in rural or highly rural areas, as
25 required under paragraph (3)(A); or

1 (B) if such rates are not available, a de-
2 scription of the method developed to measure
3 such rates as required under paragraph (3)(B).

4 (b) CARE FROM NON-DEPARTMENT PROVIDERS.—

5 The Secretary shall update the policies and directives of
6 the Department to ensure that, in referring a veteran with
7 a spinal cord injury or disorder for care from a non-De-
8 partment provider, the Secretary shall—

9 (1) confirm with the provider the accessibility
10 of the breast imaging site, including the imaging
11 equipment, transfer assistance, and the room in
12 which services will be provided; and

13 (2) provide additional information to the pro-
14 vider on best practices for screening and treating
15 veterans with a spinal cord injury or disorder.

16 (c) DEFINITIONS.—In this section, the terms “rural”
17 and “highly rural” have the meanings given those terms
18 in the Rural-Urban Commuting Areas coding system of
19 the Department of Agriculture.

20 **SEC. 106. REPORT ON ACCESS TO AND QUALITY OF MAM-**
21 **MOGRAPHY SCREENINGS FURNISHED BY DE-**
22 **PARTMENT OF VETERANS AFFAIRS.**

23 (a) IN GENERAL.—Not later than two years after the
24 date of the enactment of this Act, the Inspector General
25 of the Department of Veterans Affairs shall submit to the

1 Secretary of Veterans Affairs, the Committee on Veterans'
2 Affairs of the Senate, and the Committee on Veterans' Af-
3 fairs of the House of Representatives a report on mam-
4 mography services furnished by the Department of Vet-
5 erans Affairs.

6 (b) ELEMENTS.—The report required by subsection
7 (a) shall include an assessment of—

8 (1) the access of veterans to mammography
9 screenings, whether at a facility of the Department
10 or through a non-Department provider, including
11 any staffing concerns of the Department in pro-
12 viding such screenings;

13 (2) the quality of such screenings and reading
14 of the images from such screenings, including wheth-
15 er such screenings use three-dimensional mammog-
16 raphy;

17 (3) the communication of the results of such
18 screenings, including whether results are shared in a
19 timely manner, whether results are shared via the
20 Joint Health Information Exchange or another elec-
21 tronic mechanism, and whether results are incor-
22 porated into the electronic health record of the vet-
23 eran;

24 (4) the performance of the Women's Breast On-
25 cology System of Excellence of the Department; and

1 (5) the access of veterans diagnosed with breast
2 cancer to a comprehensive breast cancer care team
3 of the Department.

4 (c) FOLLOW-UP.—Not later than 180 days after the
5 submittal of the report under subsection (a), the Secretary
6 shall submit to the Committee on Veterans' Affairs of the
7 Senate and the Committee on Veterans' Affairs of the
8 House of Representatives a plan to address the defi-
9 ciencies identified in the report under subsection (a), if
10 any.

11 **TITLE II—PARTNERSHIPS FOR**
12 **RESEARCH AND ACCESS TO**
13 **CARE**

14 **SEC. 201. PARTNERSHIPS WITH NATIONAL CANCER INSTI-**
15 **TUTE TO EXPAND ACCESS OF VETERANS TO**
16 **CANCER CARE.**

17 (a) ACCESS TO CARE IN EACH VISN.—

18 (1) IN GENERAL.—The Secretary of Veterans
19 Affairs shall enter into a partnership with not fewer
20 than one cancer center of the National Cancer Insti-
21 tute of the National Institutes of Health in each
22 Veterans Integrated Service Network of the Depart-
23 ment of Veterans Affairs to expand access to high-
24 quality cancer care for women veterans.

1 (2) TREATMENT OF RURAL VETERANS.—The
2 Secretary, in carrying out partnerships entered into
3 under paragraph (1), shall ensure that veterans with
4 breast cancer who reside in rural areas or States
5 without a cancer center that has entered into such
6 a partnership with the Secretary are able to receive
7 care through such a partnership via telehealth.

8 (b) REPORT ON PARTNERSHIP TO INCREASE ACCESS
9 TO CLINICAL TRIALS.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary shall sub-
11 mit to the Committee on Veterans' Affairs of the Senate
12 and the Committee on Veterans' Affairs of the House of
13 Representatives a report on—

14 (1) how the Secretary will ensure that the ad-
15 vancements made through the existing partnership
16 between the Department of Veterans Affairs and the
17 National Cancer Institute to provide veterans with
18 access to clinical cancer research trials (commonly
19 referred to as “NAVIGATE”) are permanently im-
20 plemented; and

21 (2) the determination of the Secretary of
22 whether expansion of such partnership to more than
23 the original 12 facilities of the Department that
24 were selected under such partnership is feasible.

1 (c) PERIODIC REPORTS.—Not later than three years
2 after the date of the enactment of this Act, and every
3 three years thereafter, the Secretary shall submit to the
4 Committee on Veterans' Affairs of the Senate and the
5 Committee on Veterans' Affairs of the House of Rep-
6 resentatives a report—

7 (1) assessing how the partnerships entered into
8 under subsection (a)(1) have impacted access by vet-
9 erans to cancer centers of the National Cancer Insti-
10 tute, including an assessment of the telehealth op-
11 tions made available and used pursuant to such
12 partnerships; and

13 (2) describing the advancements made with re-
14 spect to access by veterans to clinical cancer re-
15 search trials through the partnership described in
16 subsection (b)(1), including how many of those vet-
17 erans were women veterans, minority veterans (in-
18 cluding racial and ethnic minorities), and rural vet-
19 erans, and identifying opportunities for further inno-
20 vation.

1 **SEC. 202. REPORT BY DEPARTMENT OF VETERANS AFFAIRS**
2 **AND DEPARTMENT OF DEFENSE ON INTER-**
3 **AGENCY COLLABORATION ON TREATING AND**
4 **RESEARCHING BREAST CANCER.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of Vet-
7 erans Affairs, in collaboration with the Secretary of De-
8 fense, shall submit to Congress a report on all current re-
9 search and health care collaborations between the Depart-
10 ment of Veterans Affairs and the Department of Defense
11 on treating veterans and members of the Armed Forces
12 with breast cancer.

13 (b) ELEMENTS.—The report required by subsection
14 (a)—

15 (1) shall include a description of potential op-
16 portunities for future interagency collaboration be-
17 tween the Department of Veterans Affairs and the
18 Department of Defense with respect to treating and
19 researching breast cancer; and

20 (2) may include a focus on—

21 (A) with respect to women members of the
22 Armed Forces with a diagnosis of or who are
23 undergoing screening for breast cancer, transi-
24 tion of such members from receiving care from
25 the Department of Defense to receiving care
26 from the Department of Veterans Affairs;

- 1 (B) collaborative breast cancer research
- 2 opportunities between the Department of Vet-
- 3 erans Affairs and the Department of Defense;
- 4 (C) access to clinical trials; and
- 5 (D) such other matters as the Secretary of
- 6 Veterans Affairs and the Secretary of Defense
- 7 consider appropriate.

Passed the Senate March 23, 2022.

Attest:

Secretary.

117TH CONGRESS
2^D SESSION

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AN ACT

To improve mammography services furnished by the Department of Veterans Affairs, and for other purposes.