

.....  
(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.** 4625

To amend title 38, United States Code, to clarify and improve the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, and for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

Mr. BERGMAN introduced the following bill; which was referred to the Committee on Veterans' Affairs

---

**A BILL**

To amend title 38, United States Code, to clarify and improve the program of comprehensive assistance for family caregivers 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 **SEC. 2. CLARIFICATION AND IMPROVEMENT OF PROGRAM**  
4 **OF COMPREHENSIVE ASSISTANCE FOR FAM-**  
5 **ILY CAREGIVERS OF THE DEPARTMENT OF**  
6 **VETERANS AFFAIRS.**

7 (a) CLARIFICATION RELATED TO APPEALS.—

1           (1) CLARIFICATION.—Subsection (c)(1) of sec-  
2           tion 1720G of title 38, United States Code, is  
3           amended to read as follows:

4           “(1) The review of any decision under this section  
5           shall be subject to the clinical appeals process of the De-  
6           partment, and such decisions may not be appealed to the  
7           Board of Veterans’ Appeals.”.

8           (2) APPLICABILITY.—The amendment made by  
9           paragraph (1) shall apply with respect to reviews oc-  
10          curring on or after the date of the enactment of this  
11          Act, regardless of the date of a decision under sec-  
12          tion 1720G of title 38, United States Code, or the  
13          date on which an appeal regarding such a decision  
14          is submitted to the Department of Veterans Affairs.

15          (b) ACCELERATED IMPLEMENTATION OF PRO-  
16          GRAM.—Such section is further amended in subsection  
17          (a)(2)(B)—

18                 (1) in clause (ii)—

19                         (A) by striking “2-year”; and

20                         (B) by inserting “and ending on a date de-  
21                         termined by the Secretary that is not later than  
22                         two years after the date on which the Secretary  
23                         submitted such certification” after “clause (i)”;  
24                         and

1           (2) in clause (iii), by striking “that is 2 years  
2           after the date on which the Secretary submits to  
3           Congress the certification described in clause (i)”  
4           and inserting “determined by the Secretary pursu-  
5           ant to clause (ii)”.

6           (c) QUARTERLY REPORT ON PARTICIPATION IN PRO-  
7           GRAM.—

8           (1) REPORTS.—Not later than 90 days after  
9           the date of the enactment of this Act, and quarterly  
10          thereafter, the Secretary of Veterans Affairs shall  
11          submit to the Committees on Veterans’ Affairs of  
12          the House of Representatives and the Senate a re-  
13          port on participation in the program established  
14          under section 1720G(a) of title 38, United States  
15          Code. Each report shall include the following:

16                   (A) The total number of applications sub-  
17                   mitted to the Secretary for participation in the  
18                   program.

19                   (B) The total number of approvals and de-  
20                   nials made with respect to such applications.

21                   (C) The total number of appeals submitted  
22                   following denials made with respect to such ap-  
23                   plications.

1 (D) The respective timelines for approvals,  
2 denials, and appeals made with respect to such  
3 applications.

4 (E) The total number of removals and re-  
5 assessments made with respect to participation  
6 in the program.

7 (F) The respective timelines for removals  
8 and reassessments made with respect to partici-  
9 pation in the program.

10 (2) DISAGGREGATION OF DATA.—The informa-  
11 tion included in the reports under paragraph (1)  
12 shall be disaggregated by—

13 (A) the disposition of the application or  
14 appeal, as applicable;

15 (B) the reason for the disposition (includ-  
16 ing whether the disposition was based on a de-  
17 termination that participation was not in the  
18 best interest of an eligible veteran); and

19 (C) Centralized Eligibility and Appeals  
20 Team or, with respect to dispositions that were  
21 not determined, or applications that were not  
22 assessed, by a Centralized Eligibility and Ap-  
23 peals Team, facility of the Department.

24 (3) PATIENT PRIVACY.—In carrying out this  
25 subsection, the Secretary shall ensure measures are

1 in place to protect patient privacy, including to pro-  
2 tect against disclosures of protected health informa-  
3 tion not authorized under regulations promulgated  
4 under section 264(c) of the Health Insurance Port-  
5 ability and Accountability Act of 1996 (Public Law  
6 104–191; 42 U.S.C. 1320d–2 note).

7 (d) REPORT ON IMPROVEMENTS TO CLINICAL AP-  
8 PEALS PROCESS.—Not later than 180 days after the date  
9 of the enactment of this Act, the Secretary (in consulta-  
10 tion with veterans service organizations, veterans, care-  
11 givers of veterans, and other stakeholders as determined  
12 relevant by the Secretary) shall submit to the Committees  
13 on Veterans’ Affairs of the House of Representatives and  
14 the Senate a report containing recommendations for ad-  
15 ministrative and legislative actions to improve the clinical  
16 appeals process of the Department of Veterans Affairs  
17 with respect to timeliness, transparency, objectivity, con-  
18 sistency, and fairness.