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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to improve the requirement to publish disability benefit questionnaire forms of Department of Veterans Affairs, and for other purposes.

Mr. LUTTRELL introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend title 38, United States Code, to improve the requirement to publish disability benefit questionnaire forms of 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 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 This Act may be cited as the “Veterans Benefits Im-
5 provement Act”.

1 **SEC. 2. IMPROVING REQUIREMENT TO PUBLISH DIS-**
2 **ABILITY BENEFIT QUESTIONNAIRE FORMS**
3 **OF DEPARTMENT OF VETERANS AFFAIRS.**

4 Section 5101(d) of title 38, United States Code, is
5 amended—

6 (1) in paragraph (1)(A), by inserting “, includ-
7 ing (except as provided in paragraph (4)(A)) all dis-
8 ability benefit questionnaire forms available to per-
9 sonnel of the Veterans Health Administration and
10 contracted personnel for the completion of com-
11 pensation and pension examinations” before the
12 semicolon; and

13 (2) by adding at the end the following new
14 paragraph:

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

21 “(B) A form described in this subparagraph is a form
22 that—

23 “(i) was in effect after January 1, 2022; and

24 “(ii) has not been published under paragraph

25 (1).

1 “(C) For each form excluded under subparagraph
2 (A), the Secretary shall—

3 “(i) list the form on the same internet website
4 as the forms published under paragraph (1)(A) with
5 an indication that the form has been excluded; and

6 “(ii) provide with such listing a justification for
7 such exclusion.”.

8 **SEC. 3. REPORT ON IMPROVING MEDICAL DISABILITY EX-**
9 **AMINATIONS FOR VETERANS WHO LIVE**
10 **ABROAD.**

11 Not later than one year after the date of the enact-
12 ment of this Act, the Secretary of Veterans Affairs, after
13 consulting with the Secretary of State and the Commis-
14 sioner of the Social Security Administration, shall submit
15 to the Committee on Veterans’ Affairs of the Senate and
16 the Committee on Veterans’ Affairs of the House of Rep-
17 resentatives a report on the efforts of the Secretary to pro-
18 vide reimbursement for a veteran’s travel to a facility of
19 the Department of Veterans Affairs or a facility of a De-
20 partment-contracted provider, regardless of whether the
21 facility is inside or outside the United States, when such
22 travel is incident to a scheduled compensation and pension
23 examination.

1 **SEC. 4. DEPARTMENT OF VETERANS AFFAIRS REQUIRE-**
2 **MENT FOR COMMUNICATION BY CONTRAC-**
3 **TORS PROVIDING COVERED MEDICAL DIS-**
4 **ABILITY EXAMINATIONS WITH PERSONS AP-**
5 **POINTED BY A POWER OF ATTORNEY FOR**
6 **PREPARATION, PRESENTATION, AND PROS-**
7 **ECUTION OF CLAIMS.**

8 (a) IN GENERAL.—In each contract entered into by
9 the Secretary of Veterans Affairs after the date of the en-
10 actment of this Act for the provision by a contractor of
11 a covered medical disability examination, the Secretary
12 shall include a requirement that every communication
13 from a contractor to a claimant regarding the scheduling
14 of a covered medical disability examination be contempora-
15 neously transmitted to the person or organization ap-
16 pointed by a power of attorney executed under sections
17 5902, 5903, and 5904 of title 38, United States Code,
18 for the preparation, presentation, and prosecution of
19 claims.

20 (b) DEFINITION.—In this section, the term “covered
21 medical disability examination” means a medical examina-
22 tion that the Secretary determines necessary for the pur-
23 poses of adjudicating a benefit under chapter 11 or 15
24 of title 38, United States Code.

1 **SEC. 5. DEPARTMENT OF VETERANS AFFAIRS OUTREACH**
2 **REGARDING CONTACT INFORMATION FOR**
3 **CONTRACTORS PROVIDING COVERED MED-**
4 **ICAL DISABILITY EXAMINATIONS.**

5 Not later than 120 days after the date of enactment
6 of this Act, the Secretary of Veterans Affairs shall, in
7 partnership with veterans service organizations and such
8 other stakeholders as the Secretary considers relevant and
9 appropriate, implement an informative outreach program
10 for veterans regarding the following:

11 (1) Contact information for contractors pro-
12 viding covered medical disability examinations, in-
13 cluding the telephone numbers from which such con-
14 tractors may contact veterans.

15 (2) The requirement for veterans to provide
16 personally identifiable information when contacted
17 by such contractors in order to verify their identity.

18 **SEC. 6. REPORT ON SUPPORTING GOVERNMENTAL VET-**
19 **ERANS SERVICE OFFICERS.**

20 (a) REPORT.—Not later than one year after the date
21 of the enactment of this Act and after consulting veterans
22 service organizations and such other stakeholders as the
23 Secretary of Veterans Affairs considers relevant and ap-
24 propriate, the Secretary shall submit to the Committee on
25 Veterans' Affairs of the Senate and the Committee on Vet-
26 erans' Affairs of the House of Representatives a report

1 on improving the support by the Department of Veterans
2 Affairs of governmental veterans service officers.

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

5 (1) An assessment of the feasibility, advis-
6 ability, and current technical limitations of providing
7 governmental veterans service officers enhanced ac-
8 cess to certain Department systems to better serve
9 veterans those governmental service officers may not
10 have authorization to represent.

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

17 (3) Any other recommendations to improve how
18 the Department monitors, coordinates with, or pro-
19 vides support to governmental veterans service offi-
20 cers.

21 (c) DEFINITIONS.—In this section:

22 (1) The term “governmental veterans service
23 officer” means an employee of a State, county, mu-
24 nicipal, or Tribal government—

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

5 (B) whose primary responsibilities include
6 preparing, presenting, and prosecuting benefit
7 claims before the Department of Veterans Af-
8 fairs.

9 (2) The term “veterans service organization”
10 means an organization recognized by the Secretary
11 for the representation of veterans under section
12 5902 of title 38, United States Code.