

AMENDMENT TO RULES COMMITTEE PRINT 118-

36

OFFERED BY MR. BOST OF ILLINOIS

At the end of subtitle C of title XVII, insert the following:

1 **SEC. 17__.** **ACCESS TO CERTAIN HEALTH CARE FUR-**
2 **NISHED BY DEPARTMENT OF VETERANS AF-**
3 **FAIRS.**

4 (a) **CODIFICATION OF ACCESS STANDARDS FOR COM-**
5 **MUNITY CARE FURNISHED BY THE DEPARTMENT OF**
6 **VETERANS AFFAIRS.—**

7 (1) **ACCESS STANDARDS.—**Section 1703B of
8 title 38, United States Code, is amended—

9 (A) by striking subsections (a) through (e)
10 and inserting the following:

11 “(a) **ACCESS STANDARDS FOR COMMUNITY CARE.—**

12 (1) A covered veteran may receive hospital care, medical
13 services, or extended care services under subparagraph
14 (D) of section 1703(d)(1) of this title if the Secretary de-
15 termines the following:

16 “(A) With respect to primary care, mental
17 health care, or extended care services, the Secretary
18 cannot schedule an in-person appointment for the

1 covered veteran with a health care provider of the
2 Department for such care or services—

3 “(i) at a facility of the Department that is
4 located less than 30 minutes average driving
5 distance from the residence of the covered vet-
6 eran; and

7 “(ii) during the 20-day period after the
8 date on which the covered veteran requests such
9 appointment.

10 “(B) With respect to specialty care, the Sec-
11 retary cannot schedule an in-person appointment for
12 the covered veteran with a health care provider of
13 the Department who can provide such care—

14 “(i) at a facility of the Department that is
15 located less than 60 minutes average driving
16 distance from the residence of the covered vet-
17 eran; and

18 “(ii) during the 28-day period after the
19 date on which the covered veteran requests such
20 appointment.

21 “(C) With respect to residential treatment and
22 rehabilitative services for alcohol or drug depend-
23 ence, the Secretary cannot provide the covered vet-
24 eran such services at a facility of the Department—

1 “(i) that is located less than 60 minutes
2 average driving distance from the residence of
3 the covered veteran; and

4 “(ii) during the 10-day period after the
5 date on which the covered veteran requests such
6 services.

7 “(2)(A) The Secretary may prescribe regulations that
8 establish a shorter average driving distance or time period
9 than those established by paragraph (1).

10 “(B) A covered veteran may consent to a longer driv-
11 ing distance or time period than established by paragraph
12 (1) (or pursuant to regulations prescribed under para-
13 graph (2)). If a covered veteran so consents, the Secretary
14 shall document such consent in the electronic health
15 record of the covered veteran and provide the covered vet-
16 eran with a copy of such documentation in writing or
17 through electronic means.

18 “(3) In making any eligibility determination under
19 paragraph (1), the Secretary may not consider—

20 “(A) a telehealth appointment; or

21 “(B) the cancellation of an appointment unless
22 such cancellation was at the request of the covered
23 veteran.

24 “(4) A covered veteran, whom the Secretary deter-
25 mines under paragraph (1) may receive hospital care,

1 medical services, or extended care services under subpara-
2 graph (D) of section 1703(d)(1) of this title, may elect
3 to have a telehealth appointment with a health care pro-
4 vider of the Department instead of receiving such care or
5 services under such subparagraph.

6 “(b) APPLICABILITY.—The Secretary shall ensure
7 that the access standards established under subsection (a)
8 apply—

9 “(1) to all care and services within the medical
10 benefits package of the Department to which a cov-
11 ered veteran is eligible under section 1703 of this
12 title; and

13 “(2) to all covered veterans.

14 “(c) PERIODIC REVIEW OF ACCESS STANDARDS.—
15 (1) Not later than three years after the date of the enact-
16 ment of the Veteran Care Improvement Act of 2023, and
17 not less frequently than once every three years thereafter,
18 the Secretary shall—

19 “(A) conduct a review of the access standards
20 under subsection (a) in consultation with—

21 “(i) Federal entities (including the Depart-
22 ment of Defense, the Department of Health and
23 Human Services, and the Centers for Medicare
24 & Medicaid Services) that the Secretary deter-
25 mines appropriate;

1 “(ii) entities and individuals in the private
2 sector, including—

3 “(I) veterans who receive hospital
4 care, medical services, and extended care
5 services furnished by the Secretary;

6 “(II) veterans service organizations;
7 and

8 “(III) health care providers partici-
9 pating in the Veterans Community Care
10 Program under section 1703 of this title;
11 and

12 “(iii) other entities that are not part of the
13 Federal Government;

14 “(B) submit to the appropriate committees of
15 Congress a report on—

16 “(i) the findings of the Secretary under
17 such review; and

18 “(ii) recommendations of the Secretary re-
19 garding such access standards; and

20 “(2) Consultation with entities and individuals pursu-
21 ant to paragraph (1) shall not be subject to chapter 10
22 of title 5.”;

23 (B) by striking subsection (g);

1 (C) by redesignating subsections (f), (h),
2 and (i) as subsections (d), (e), and (f), respec-
3 tively;

4 (D) in subsection (d), as redesignated by
5 paragraph (3)—

6 (i) by striking “established” each
7 place it appears; and

8 (ii) in paragraph (1), by striking “(1)
9 Subject to” and inserting “COMPLIANCE
10 BY COMMUNITY CARE PROVIDERS WITH
11 ACCESS STANDARDS.—(1) Subject to”;

12 (E) in subsection (e), as so redesignated—

13 (i) in paragraph (1)—

14 (I) by striking “(1) Consistent
15 with” and inserting “DETERMINATION
16 REGARDING ELIGIBILITY.—(1) Con-
17 sistent with”; and

18 (II) by striking “designated ac-
19 cess standards established under this
20 section” and inserting “access stand-
21 ards under subsection (a)”; and

22 (ii) in paragraph (2)(B), by striking
23 “designated access standards established
24 under this section” and inserting “access
25 standards under subsection (a)”; and

1 (F) in subsection (f), as redesignated by
2 paragraph (2)—

3 (i) in the matter preceding paragraph
4 (1), by striking “In this section” and in-
5 sserting “DEFINITIONS.—In this section”;
6 and

7 (ii) in paragraph (2)—

8 (I) by striking “covered vet-
9 erans” and inserting “covered vet-
10 eran”; and

11 (II) by striking “veterans de-
12 scribed” and inserting “a veteran de-
13 scribed”.

14 (2) CONFORMING AMENDMENTS.—Subsection
15 (d) of section 1703 of such title is amended—

16 (A) in paragraph (1)(D), by striking “des-
17 igned access standards developed by the Sec-
18 retary under section 1703B of this title” and
19 inserting “access standards under section
20 1703B(a) of this title”; and

21 (B) in paragraph (3), by striking “des-
22 igned access standards developed by the Sec-
23 retary under section 1703B of this title” and
24 inserting “access standards under section
25 1703B(a) of this title”.

1 (b) TREATMENT AND REHABILITATIVE SERVICES
2 FOR VETERANS WITH DRUG OR ALCOHOL DEPEND-
3 ENCY.—Section 1720A of title 38, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(e) The Secretary shall screen a veteran who re-
7 quests residential treatment and rehabilitative services for
8 alcohol or drug dependence under this section, in order
9 to determine whether such veteran requires such services,
10 not later than 72 hours after receipt of such request.”.

11 (c) LOAN FEES.—The loan fee table in section
12 3729(b)(2) of title 38, United States Code, is amended
13 by striking “November 15, 2031” each place it appears
14 and inserting “March 20, 2032”.

