

117TH CONGRESS
1ST SESSION

H. R. 6231

To require the Secretary of Veterans Affairs to conduct a study on the feasibility and advisability of establishing a pilot program to support medical residency and fellowship programs that assist veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2021

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

A BILL

To require the Secretary of Veterans Affairs to conduct a study on the feasibility and advisability of establishing a pilot program to support medical residency and fellowship programs that assist veterans, 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.**

4 This Act may be cited as the “Veterans Pro Bono
5 Corps Act of 2021”.

1 **SEC. 2. STUDY ON POTENTIAL PILOT PROGRAM TO SUP-**
2 **PORT MEDICAL RESIDENCY AND FELLOW-**
3 **SHIP PROGRAMS THAT ASSIST VETERANS.**

4 (a) SENSE OF CONGRESS.—It is the Sense of Con-
5 gress that—

6 (1) the COVID–19 pandemic and other factors
7 have contributed to a growing backlog of veterans
8 needing medical disability examinations and opin-
9 ions;

10 (2) access to medical disability examinations
11 and opinions is critical for veterans to receive dis-
12 ability compensation benefits from the Department
13 of Veterans Affairs;

14 (3) there remains a need to train non-Depart-
15 ment of Veterans Affairs clinicians to understand
16 and support the unique medical needs of disabled
17 veterans;

18 (4) veterans who are dissatisfied with medical
19 disability examinations or opinions provided by em-
20 ployees or contractors of the Department of Vet-
21 erans Affairs may obtain and submit outside, inde-
22 pendent disability evaluations; however, most vet-
23 erans cannot afford to obtain such evaluations and
24 most non-Department training clinicians are not fa-
25 miliar with the specific legal criteria and medical

1 findings necessary to prepare adequate disability ex-
2 amination reports and opinions; and

3 (5) clinics within non-Department of Veterans
4 Affairs medical residency and fellowship programs
5 are a potential resource to supplement the current
6 medical disability examination and opinion system
7 carried out by employees and contractors of the De-
8 partment by—

9 (A) affording disabled veterans with an-
10 other option for high-quality, outside, inde-
11 pendent disability evaluations; and

12 (B) providing non-Department clinicians
13 with clinical training and experience necessary
14 to understand the unique medical needs of dis-
15 abled veterans.

16 (b) STUDY REQUIRED.—The Secretary of Veterans
17 Affairs shall conduct a study to assess the feasibility and
18 advisability of—

19 (1) establishing the pilot program described in
20 subsection (d); and

21 (2) using the disability benefits questionnaire
22 forms as described in subsection (d)(8) to support
23 such program.

24 (c) REPORT REQUIRED.—Not later than one year
25 after the date of the enactment of this Act, the Secretary

1 of Veterans Affairs shall submit to Congress a report on
2 the findings of the study conducted under subsection (b).

3 (d) PILOT PROGRAM DESCRIBED.—

4 (1) IN GENERAL.—The pilot program described
5 in this section is a pilot program under which the
6 Secretary of Veterans Affairs provides assistance to
7 eligible recipients to establish or maintain programs
8 that assist veterans applying for compensation under
9 chapter 11 of title 38, United States Code, in sub-
10 stantiating their claims with independent medical ex-
11 aminations and opinions.

12 (2) ELIGIBLE RECIPIENTS.—For purposes of
13 the pilot program, an eligible recipient would be an
14 entity that—

15 (A) is administering a non-Department of
16 Veterans Affairs medical residency or medical
17 fellowship program in the United States or a
18 territory of the United States; and

19 (B) is accredited by a nationally recognized
20 accrediting agency.

21 (3) DURATION.—The Secretary would carry out
22 the pilot program during the five-year period begin-
23 ning on the date of the commencement of the pilot
24 program.

1 (4) GRANTS.—The Secretary would carry out
2 the pilot program through the award of grants to el-
3 igible recipients to establish or maintain programs
4 as described in paragraph (1).

5 (5) COMPETITIVE PROCESS.—The Secretary
6 would establish a competitive process for the award
7 of the grants under the pilot program.

8 (6) SELECTION OF GRANT RECIPIENTS.—In
9 awarding grants under the pilot program, the Sec-
10 retary may give preference to an eligible recipient lo-
11 cated in a rural area or an underserved area.

12 (7) USE OF GRANT FUNDS.—

13 (A) IN GENERAL.—Each eligible recipient
14 receiving a grant under the pilot program would
15 use the grant to establish or maintain a pro-
16 gram as described in paragraph (1) in which
17 medical residents or fellows provide pro bono
18 medical examinations and opinions for the pur-
19 poses described in that paragraph.

20 (B) REQUIREMENTS.—For each program
21 established or maintained with amounts from a
22 grant under the pilot program—

23 (i) medical residents and fellows
24 would practice under the supervision of at-
25 tending physicians in accordance with such

1 supervisory requirements as the Secretary
2 would prescribe in regulations;

3 (ii) each attending physician providing
4 such supervision would be in good standing
5 with the medical licensing board of each
6 State in which the attending physician is
7 licensed;

8 (iii) each medical resident and fellow
9 would be in good standing with—

10 (I) the program established or
11 maintained with amounts from the
12 grant; and

13 (II) the medical licensing board
14 of each State in which the resident or
15 fellow is licensed;

16 (iv) each medical resident, fellow, and
17 attending physician would undergo training
18 that is substantially the same as or equiva-
19 lent to training required for medical exam-
20 iners of the Veterans Health Administra-
21 tion or contractors of the Department of
22 Veterans Affairs who conduct medical ex-
23 aminations for purposes of supporting
24 claims for compensation under chapter 11
25 of title 38, United States Code;

1 (v) medical residents would be in their
2 second year or later of a medical residency;

3 (vi) the program would not charge
4 veterans fees for the services provided;

5 (vii) the program would screen indi-
6 vidual applicants who are veterans using
7 such income eligibility criteria as the Sec-
8 retary would prescribe in regulations;

9 (viii) the recipient of the grant would,
10 on an annual basis, provide the Secretary
11 with an accounting of how the recipient
12 has used and allocated grant funds; and

13 (ix) the program would meet such
14 other criteria as the Secretary may pre-
15 scribe in regulations.

16 (8) FORMS.—The Secretary would provide to
17 each recipient of a grant under the pilot program all
18 current disability benefits questionnaire forms of the
19 Department of Veterans Affairs.

20 (9) OUTREACH.—The Secretary would, in part-
21 nership with veterans service organizations, imple-
22 ment an informative outreach program for veterans
23 regarding the availability of services from programs
24 established or maintained under the pilot program.

25 (10) RULE OF CONSTRUCTION.—

1 (A) VOLUNTARY PARTICIPATION.—Partici-
2 pation by any veteran in the pilot program
3 would be voluntary.

4 (B) RIGHT TO MEDICAL EXAMINATION.—
5 Administration of the pilot program would not
6 be construed to invalidate or replace the right
7 of a veteran to a medical examination provided
8 by an employee or contractor of the Depart-
9 ment of Veterans Affairs under section
10 5103A(d) of title 38, United States Code.

11 (11) DEFINITIONS.—In this subsection:

12 (A) The term “rural area” means an area
13 classified as “rural” by the Bureau of the Cen-
14 sus.

15 (B) The term “underserved area” means
16 an area that meets one or more of the following
17 criteria:

18 (i) The area has a high proportion of
19 individuals who have limited access to
20 health care.

21 (ii) The area has a high proportion of
22 individuals who have limited access to legal
23 services.

24 (C) The term “veterans service organiza-
25 tion” means an organization recognized by the

1 Secretary for the representation of veterans
2 under section 5902 of title 38, United States
3 Code.

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