

115TH CONGRESS
1ST SESSION

H. R. 1472

To expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2017

Mr. LANGEVIN (for himself, Mrs. RADEWAGEN, Mrs. BEATTY, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. COHEN, Ms. ESTY, Mr. EVANS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. HANABUSA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. KAPTUR, Mrs. LAWRENCE, Mr. LYNCH, Ms. MOORE, Ms. ROSEN, Mr. RUSH, Mr. RYAN of Ohio, Ms. SHEA-PORTER, Ms. SINEMA, Mr. SOTO, Mr. TAKANO, Mr. WALZ, Mr. YOUNG of Alaska, Mr. RUPPERSBERGER, Mr. CICILLINE, Mr. RASKIN, Ms. PELOSI, and Mr. BILIRAKIS) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, 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 “Military and Veteran
 5 Caregiver Services Improvement Act of 2017”.

6 **SEC. 2. EXPANSION OF ELIGIBILITY FOR PARTICIPATION IN**
 7 **AND SERVICES PROVIDED UNDER FAMILY**
 8 **CAREGIVER PROGRAM OF DEPARTMENT OF**
 9 **VETERANS AFFAIRS.**

10 (a) FAMILY CAREGIVER PROGRAM.—

11 (1) EXPANSION OF ELIGIBILITY.—Subsection
 12 (a)(2)(B) of section 1720G of title 38, United States
 13 Code, is amended by striking “on or after September
 14 11, 2001”.

15 (2) CLARIFICATION OF ELIGIBILITY FOR ILL-
 16 NESS.—Such subsection is further amended by in-
 17 serting “or illness” after “serious injury”.

18 (3) EXPANSION OF NEEDED SERVICES IN ELI-
 19 GIBILITY CRITERIA.—Subsection (a)(2)(C) of such
 20 section is amended—

21 (A) in clause (ii), by striking “; or” and in-
 22 serting a semicolon;

23 (B) by redesignating clause (iii) as clause
 24 (iv); and

1 (C) by inserting after clause (ii) the fol-
2 lowing new clause (iii):

3 “(iii) a need for regular or extensive in-
4 struction or supervision without which the abil-
5 ity of the veteran to function in daily life would
6 be seriously impaired; or”.

7 (4) EXPANSION OF SERVICES PROVIDED.—Sub-
8 section (a)(3)(A)(ii) of such section is amended—

9 (A) in subclause (IV), by striking “; and”
10 and inserting a semicolon;

11 (B) in subclause (V), by striking the period
12 at the end and inserting a semicolon; and

13 (C) by adding at the end the following new
14 subclauses:

15 “(VI) child care services or a monthly sti-
16 pend for such services if such services are not
17 readily available from the Department;

18 “(VII) financial planning services relating
19 to the needs of injured and ill veterans and
20 their caregivers; and

21 “(VIII) legal services, including legal ad-
22 vice and consultation, relating to the needs of
23 injured and ill veterans and their caregivers.”.

24 (5) EXPANSION OF RESPITE CARE PROVIDED.—
25 Subsection (a)(3)(B) of such section is amended by

1 striking “shall be” and all that follows through the
 2 period at the end and inserting “shall—

3 “(i) be medically and age-appropriate;

4 “(ii) include in-home care; and

5 “(iii) include peer-oriented group activities.”.

6 (6) MODIFICATION OF STIPEND CALCULA-
 7 TION.—Subsection (a)(3)(C) of such section is
 8 amended—

9 (A) by redesignating clause (iii) as clause
 10 (iv); and

11 (B) by inserting after clause (ii) the fol-
 12 lowing new clause (iii):

13 “(iii) In determining the amount and degree of per-
 14 sonal care services provided under clause (i) with respect
 15 to an eligible veteran whose need for personal care services
 16 is based in whole or in part on a need for supervision or
 17 protection under paragraph (2)(C)(ii) or regular instruc-
 18 tion or supervision under paragraph (2)(C)(iii), the Sec-
 19 retary shall take into account the following:

20 “(I) The assessment by the family caregiver of
 21 the needs and limitations of the veteran.

22 “(II) The extent to which the veteran can func-
 23 tion safely and independently in the absence of such
 24 supervision, protection, or instruction.

1 “(III) The amount of time required for the
2 family caregiver to provide such supervision, protec-
3 tion, or instruction to the veteran.”.

4 (7) PERIODIC EVALUATION OF NEED FOR CER-
5 TAIN SERVICES.—Subsection (a)(3) of such section
6 is amended by adding at the end the following new
7 subparagraph:

8 “(D) In providing instruction, preparation, and train-
9 ing under subparagraph (A)(i)(I) and technical support
10 under subparagraph (A)(i)(II) to each family caregiver
11 who is approved as a provider of personal care services
12 for an eligible veteran under paragraph (6), the Secretary
13 shall periodically evaluate the needs of the eligible veteran
14 and the skills of the family caregiver of such veteran to
15 determine if additional instruction, preparation, training,
16 or technical support under those subparagraphs is nec-
17 essary.”.

18 (8) USE OF PRIMARY CARE TEAMS.—Subsection
19 (a)(5) of such section is amended, in the matter pre-
20 ceding subparagraph (A), by inserting “(in collabo-
21 ration with the primary care team for the eligible
22 veteran to the maximum extent practicable)” after
23 “evaluate”.

24 (9) ELIGIBILITY OF AND ASSISTANCE FOR FAM-
25 ILY CAREGIVERS.—Subsection (a) of such section is

1 amended by adding at the end the following new
2 paragraphs:

3 “(11) Notwithstanding any other provision of this
4 subsection, a family caregiver of an eligible veteran who
5 is eligible under paragraph (2) solely because of a serious
6 injury or illness (including traumatic brain injury, psycho-
7 logical trauma, or other mental disorder) incurred or ag-
8 gravated in the line of duty in the active military, naval,
9 or air service before September 11, 2001, is eligible for
10 assistance under this subsection as follows:

11 “(A) Not earlier than October 1, 2018, if the
12 family caregiver would merit a monthly personal
13 caregiver stipend under paragraph (3)(A)(ii)(V) in
14 an amount that is in the highest tier specified in the
15 schedule established by the Secretary under para-
16 graph (3)(C)(i).

17 “(B) Not earlier than October 1, 2020, if the
18 family caregiver would merit such a stipend in an
19 amount that is in the middle tier specified in such
20 schedule.

21 “(C) Not earlier than October 1, 2022, if the
22 family caregiver would merit such a stipend in an
23 amount that is in the lowest tier specified in such
24 schedule.

1 “(12)(A) In providing assistance under this sub-
2 section to family caregivers of eligible veterans, the Sec-
3 retary may enter into contracts, provider agreements, and
4 memoranda of understanding with Federal agencies,
5 States, and private, nonprofit, and other entities to pro-
6 vide such assistance to such family caregivers.

7 “(B) The Secretary may provide assistance under
8 this paragraph only if such assistance is reasonably acces-
9 sible to the family caregiver and is substantially equivalent
10 or better in quality to similar services provided by the De-
11 partment.

12 “(C) The Secretary may provide fair compensation
13 to Federal agencies, States, and other entities that provide
14 assistance under this paragraph.

15 “(D) In carrying out this paragraph, the Secretary
16 shall work with the interagency working group on policies
17 relating to caregivers of veterans and members of the
18 Armed Forces established under section 7 of the Military
19 and Veteran Caregiver Services Improvement Act of
20 2017.”.

21 (b) TERMINATION OF GENERAL CAREGIVER SUP-
22 PORT PROGRAM.—

23 (1) IN GENERAL.—Subsection (b) of such sec-
24 tion is amended by adding at the end the following
25 new paragraph:

1 “(6) The authority of the Secretary to provide sup-
2 port services for caregivers of covered veterans under this
3 subsection shall terminate on October 1, 2022.”.

4 (2) CONTINUATION OF CERTAIN ASSISTANCE.—
5 The Secretary of Veterans Affairs shall ensure that
6 any activities carried out under subsection (b) of
7 such section on September 30, 2022, are continued
8 under subsection (a) of such section on and after
9 October 1, 2022.

10 (c) MODIFICATION OF DEFINITION OF FAMILY MEM-
11 BER.—Subparagraph (B) of subsection (d)(3) of such sec-
12 tion is amended to read as follows:

13 “(B) is not a member of the family of the
14 veteran and does not provide care to the vet-
15 eran on a professional basis.”.

16 (d) MODIFICATION OF DEFINITION OF PERSONAL
17 CARE SERVICES.—Subsection (d)(4) of such section is
18 amended—

19 (1) in subparagraph (A), by striking “inde-
20 pendent”;

21 (2) by redesignating subparagraph (B) as sub-
22 paragraph (D); and

23 (3) by inserting after subparagraph (A) the fol-
24 lowing new subparagraphs:

1 “(B) Supervision or protection based on
2 symptoms or residuals of neurological or other
3 impairment or injury.

4 “(C) Regular or extensive instruction or
5 supervision without which the ability of the vet-
6 eran to function in daily life would be seriously
7 impaired.”.

8 (e) ANNUAL EVALUATION REPORT.—Paragraph (2)
9 of section 101(c) of the Caregivers and Veterans Omnibus
10 Health Services Act of 2010 (Public Law 111–163; 38
11 U.S.C. 1720G note) is amended to read as follows:

12 “(2) CONTENTS.—Each report required by
13 paragraph (1) after the date of the enactment of the
14 Military and Veteran Caregiver Services Improve-
15 ment Act of 2017 shall include the following with re-
16 spect to the program of comprehensive assistance for
17 family caregivers required by subsection (a)(1) of
18 such section 1720G:

19 “(A) The number of family caregivers that
20 received assistance under such program.

21 “(B) The cost to the Department of pro-
22 viding assistance under such program.

23 “(C) A description of the outcomes
24 achieved by, and any measurable benefits of,
25 carrying out such program.

1 “(D) An assessment of the effectiveness
2 and the efficiency of the implementation of such
3 program, including a description of any barriers
4 to accessing and receiving care and services
5 under such program.

6 “(E) A description of the outreach activi-
7 ties carried out by the Secretary under such
8 program.

9 “(F) An assessment of the manner in
10 which resources are expended by the Secretary
11 under such program, particularly with respect
12 to the provision of monthly personal caregiver
13 stipends under subsection (a)(3)(A)(ii)(V) of
14 such section 1720G.

15 “(G) An evaluation of the sufficiency and
16 consistency of the training provided to family
17 caregivers under such program in preparing
18 family caregivers to provide care to veterans
19 under such program.

20 “(H) Such recommendations, including
21 recommendations for legislative or administra-
22 tive action, as the Secretary considers appro-
23 priate in light of carrying out such program.”.

1 **SEC. 3. AUTHORITY TO TRANSFER ENTITLEMENT TO POST-**
2 **9/11 EDUCATION ASSISTANCE TO FAMILY**
3 **MEMBERS BY SERIOUSLY INJURED VET-**
4 **ERANS IN NEED OF PERSONAL CARE SERV-**
5 **ICES.**

6 (a) IN GENERAL.—Subchapter II of chapter 33 of
7 title 38, United States Code, is amended by adding at the
8 end the following new section:

9 **“§ 3319A. Authority to transfer unused education**
10 **benefits to family members by seriously**
11 **injured veterans**

12 “(a) IN GENERAL.—Subject to the provisions of this
13 section, the Secretary may permit an individual described
14 in subsection (b) who is entitled to educational assistance
15 under this chapter to elect to transfer to one or more of
16 the dependents specified in subsection (c) a portion of
17 such individual’s entitlement to such assistance, subject
18 to the limitation under subsection (d).

19 “(b) ELIGIBLE INDIVIDUALS.—An individual re-
20 ferred to in subsection (a) is any individual who is de-
21 scribed in paragraph (2) of section 1720G(a) of this title
22 and who is participating in the program established under
23 paragraph (1) of such section.

24 “(c) ELIGIBLE DEPENDENTS.—An individual ap-
25 proved to transfer an entitlement to educational assistance

1 under this section may transfer the individual's entitle-
2 ment as follows:

3 “(1) To the individual's spouse.

4 “(2) To one or more of the individual's chil-
5 dren.

6 “(3) To a combination of the individuals re-
7 ferred to in paragraphs (1) and (2).

8 “(d) LIMITATION ON MONTHS OF TRANSFER.—(1)
9 The total number of months of entitlement transferred by
10 a individual under this section may not exceed 36 months.

11 “(2) The Secretary may prescribe regulations that
12 would limit the months of entitlement that may be trans-
13 ferred under this section to no less than 18 months.

14 “(e) DESIGNATION OF TRANSFEREE.—An individual
15 transferring an entitlement to educational assistance
16 under this section shall—

17 “(1) designate the dependent or dependents to
18 whom such entitlement is being transferred;

19 “(2) designate the number of months of such
20 entitlement to be transferred to each such depend-
21 ent; and

22 “(3) specify the period for which the transfer
23 shall be effective for each dependent designated
24 under paragraph (1).

1 “(f) TIME FOR TRANSFER; REVOCATION AND MODI-
2 FICATION.—(1) Transfer of entitlement to educational as-
3 sistance under this section shall be subject to the time lim-
4 itation for use of entitlement under section 3321 of this
5 title.

6 “(2)(A) An individual transferring entitlement under
7 this section may modify or revoke at any time the transfer
8 of any unused portion of the entitlement so transferred.

9 “(B) The modification or revocation of the transfer
10 of entitlement under this paragraph shall be made by the
11 submittal of written notice of the action to the Secretary.

12 “(3) Entitlement transferred under this section may
13 not be treated as marital property, or the asset of a mar-
14 ital estate, subject to division in a divorce or other civil
15 proceeding.

16 “(g) COMMENCEMENT OF USE.—A dependent child
17 to whom entitlement to educational assistance is trans-
18 ferred under this section may not commence the use of
19 the transferred entitlement until either—

20 “(1) the completion by the child of the require-
21 ments of a secondary school diploma (or equivalency
22 certificate); or

23 “(2) the attainment by the child of 18 years of
24 age.

1 “(h) ADDITIONAL ADMINISTRATIVE MATTERS.—(1)

2 The use of any entitlement to educational assistance
3 transferred under this section shall be charged against the
4 entitlement of the individual making the transfer at the
5 rate of one month for each month of transferred entitle-
6 ment that is used.

7 “(2) Except as provided under subsection (e)(2) and
8 subject to paragraphs (5) and (6), a dependent to whom
9 entitlement is transferred under this section is entitled to
10 educational assistance under this chapter in the same
11 manner as the individual from whom the entitlement was
12 transferred.

13 “(3) The monthly rate of educational assistance pay-
14 able to a dependent to whom entitlement referred to in
15 paragraph (2) is transferred under this section shall be
16 payable at the same rate as such entitlement would other-
17 wise be payable under this chapter to the individual mak-
18 ing the transfer.

19 “(4) The death of an individual transferring an enti-
20 tlement under this section shall not affect the use of the
21 entitlement by the dependent to whom the entitlement is
22 transferred.

23 “(5)(A) A child to whom entitlement is transferred
24 under this section may use the benefits transferred with-
25 out regard to the 15-year delimiting date specified in sec-

1 tion 3321 of this title, but may not, except as provided
2 in subparagraph (B), use any benefits so transferred after
3 attaining the age of 26 years.

4 “(B)(i) Subject to clause (ii), in the case of a child
5 who, before attaining the age of 26 years, is prevented
6 from pursuing a chosen program of education by reason
7 of acting as the primary provider of personal care services
8 for a veteran or member of the Armed Forces under sec-
9 tion 1720G(a) of this title, the child may use the benefits
10 beginning on the date specified in clause (iii) for a period
11 whose length is specified in clause (iv).

12 “(ii) Clause (i) shall not apply with respect to the
13 period of an individual as a primary provider of personal
14 care services if the period concludes with the revocation
15 of the individual’s designation as such a primary provider
16 under section 1720G(a)(7)(D) of this title.

17 “(iii) The date specified in this clause for the begin-
18 ning of the use of benefits by a child under clause (i) is
19 the later of—

20 “(I) the date on which the child ceases acting
21 as the primary provider of personal care services for
22 the veteran or member concerned as described in
23 clause (i);

24 “(II) the date on which it is reasonably feasible,
25 as determined under regulations prescribed by the

1 Secretary, for the child to initiate or resume the use
2 of benefits; or

3 “(III) the date on which the child attains the
4 age of 26 years.

5 “(iv) The length of the period specified in this clause
6 for the use of benefits by a child under clause (i) is the
7 length equal to the length of the period that—

8 “(I) begins on the date on which the child be-
9 gins acting as the primary provider of personal care
10 services for the veteran or member concerned as de-
11 scribed in clause (i); and

12 “(II) ends on the later of—

13 “(aa) the date on which the child ceases
14 acting as the primary provider of personal care
15 services for the veteran or member as described
16 in clause (i); or

17 “(bb) the date on which it is reasonably
18 feasible, as so determined, for the child to ini-
19 tiate or resume the use of benefits.

20 “(6) The purposes for which a dependent to whom
21 entitlement is transferred under this section may use such
22 entitlement shall include the pursuit and completion of the
23 requirements of a secondary school diploma (or equiva-
24 lency certificate).

1 “(7) The administrative provisions of this chapter
2 shall apply to the use of entitlement transferred under this
3 section, except that the dependent to whom the entitle-
4 ment is transferred shall be treated as the eligible indi-
5 vidual for purposes of such provisions.

6 “(i) OVERPAYMENT.—In the event of an overpayment
7 of educational assistance with respect to a dependent to
8 whom entitlement is transferred under this section, the de-
9 pendent and the individual making the transfer shall be
10 jointly and severally liable to the United States for the
11 amount of the overpayment for purposes of section 3685
12 of this title.

13 “(j) REGULATIONS.—(1) The Secretary shall pre-
14 scribe regulations to carry out this section.

15 “(2) Such regulations shall specify—

16 “(A) the manner of authorizing the transfer of
17 entitlements under this section;

18 “(B) the eligibility criteria in accordance with
19 subsection (b); and

20 “(C) the manner and effect of an election to
21 modify or revoke a transfer of entitlement under
22 subsection (f)(2).”.

23 (b) CONFORMING AMENDMENTS.—

24 (1) TRANSFERS BY MEMBERS OF ARMED
25 FORCES.—The heading of section 3319 of such title

1 is amended by inserting “**by members of the**
2 **Armed Forces**” after “**family members**”.

3 (2) BAR TO DUPLICATION OF EDUCATIONAL AS-
4 SISTANCE BENEFITS.—Section 3322(e) of such title
5 is amended by inserting “or 3319A” after “and
6 3319”.

7 (c) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of chapter 33 of such title is amended
9 by striking the item relating to section 3319 and inserting
10 the following new items:

“3319. Authority to transfer unused education benefits to family members by
members of the Armed Forces.

“3319A. Authority to transfer unused education benefits to family members by
seriously injured veterans.”.

11 **SEC. 4. ENHANCEMENT OF SPECIAL COMPENSATION FOR**
12 **MEMBERS OF THE UNIFORMED SERVICES**
13 **WITH INJURIES OR ILLNESSES REQUIRING**
14 **ASSISTANCE IN EVERYDAY LIVING.**

15 (a) EXPANSION OF COVERED MEMBERS.—Sub-
16 section (b) of section 439 of title 37, United States Code,
17 is amended—

18 (1) by striking paragraphs (1) through (3) and
19 inserting the following new paragraphs:

20 “(1) has a serious injury or illness that was in-
21 curred or aggravated in the line of duty;

22 “(2) is in need of personal care services (includ-
23 ing supervision or protection or regular instruction

1 or supervision) as a result of such injury or illness;
2 and”; and

3 (2) by redesignating paragraph (4) as para-
4 graph (3).

5 (b) PROVISION OF ASSISTANCE TO FAMILY CARE-
6 GIVERS.—Such section is further amended—

7 (1) by redesignating subsections (e), (f), (g),
8 and (h) as subsections (f), (g), (h), and (i), respec-
9 tively; and

10 (2) by inserting after subsection (d) the fol-
11 lowing new subsection (e):

12 “(e) ASSISTANCE FOR FAMILY CAREGIVERS.—(1)
13 The Secretary of Veterans Affairs shall provide family
14 caregivers of a member in receipt of monthly special com-
15 pensation under subsection (a) the assistance required to
16 be provided to family caregivers of eligible veterans under
17 section 1720G(a)(3)(A) of title 38 (other than the monthly
18 personal caregiver stipend provided for in clause (ii)(V)
19 of such section). For purposes of the provision of such
20 assistance under this subsection, the definitions in section
21 1720G(d) of title 38 shall apply, except that any reference
22 in such definitions to a veteran or eligible veteran shall
23 be deemed to be a reference to the member concerned.

24 “(2) The Secretary of Veterans Affairs shall provide
25 assistance under this subsection—

1 “(A) in accordance with a memorandum of un-
2 derstanding entered into by the Secretary of Vet-
3 erans Affairs and the Secretary of Defense; and

4 “(B) in accordance with a memorandum of un-
5 derstanding entered into by the Secretary of Vet-
6 erans Affairs and the Secretary of Homeland Secu-
7 rity (with respect to members of the Coast Guard).

8 “(3) The Secretary of Veterans Affairs shall ensure
9 that a family caregiver in receipt of assistance under this
10 subsection is able to transition seamlessly to the receipt
11 of assistance under section 1720G of title 38.”.

12 (c) INFORMATION ON FAMILY CAREGIVER BENE-
13 FITS.—Subsection (g) of such section, as redesignated by
14 subsection (b)(1) of this section, is amended by adding
15 at the end the following new paragraph:

16 “(3) The Secretary of Defense, in collaboration with
17 the Secretary of Veterans Affairs, shall ensure that mem-
18 bers of the uniformed services in receipt of monthly special
19 compensation under subsection (a) are aware of the eligi-
20 bility of such members for family caregiver assistance
21 under subsection (e).”.

22 (d) EXPANSION OF COVERED INJURIES AND ILL-
23 NESSES.—Subsection (h) of such section, as redesignated
24 by subsection (b)(1) of this section, is amended to read
25 as follows:

1 “(h) SERIOUS INJURY OR ILLNESS DEFINED.—In
2 this section, the term ‘serious injury or illness’ means an
3 injury, disorder, or illness (including traumatic brain in-
4 jury, psychological trauma, or other mental disorder)
5 that—

6 “(1) renders the afflicted person unable to
7 carry out one or more activities of daily living;

8 “(2) renders the afflicted person in need of su-
9 pervision or protection due to the manifestation by
10 such person of symptoms or residuals of neurological
11 or other impairment or injury;

12 “(3) renders the afflicted person in need of reg-
13 ular or extensive instruction or supervision in com-
14 pleting two or more instrumental activities of daily
15 living; or

16 “(4) otherwise impairs the afflicted person in
17 such manner as the Secretary of Defense (or the
18 Secretary of Homeland Security, with respect to the
19 Coast Guard) prescribes for purposes of this sec-
20 tion.”.

21 (e) CLERICAL AMENDMENTS.—

22 (1) HEADING AMENDMENT.—The heading for
23 such section is amended to read as follows:

1 **“§ 439. Special compensation: members of the uni-**
 2 **formed services with serious injuries or**
 3 **illnesses requiring assistance in everyday**
 4 **living”.**

5 (2) TABLE OF SECTIONS AMENDMENT.—The
 6 table of sections at the beginning of chapter 7 of
 7 such title is amended by striking the item relating
 8 to section 439 and inserting the following new item:

“439. Special compensation: members of the uniformed services with serious in-
 juries or illnesses requiring assistance in everyday living.”.

9 **SEC. 5. FLEXIBLE WORK ARRANGEMENTS FOR CERTAIN**
 10 **FEDERAL EMPLOYEES.**

11 (a) DEFINITION OF COVERED EMPLOYEE.—In this
 12 section, the term “covered employee” means an employee
 13 (as defined in section 2105 of title 5, United States Code)
 14 who—

15 (1) is a caregiver, as defined in section 1720G
 16 of title 38, United States Code; or

17 (2) is a caregiver of an individual who receives
 18 compensation under section 439 of title 37, United
 19 States Code.

20 (b) AUTHORITY TO ALLOW FLEXIBLE WORK AR-
 21 RANGEMENTS.—The Director of the Office of Personnel
 22 Management may promulgate regulations under which a
 23 covered employee may—

1 (1) use a flexible schedule or compressed sched-
 2 ule in accordance with subchapter II of chapter 61
 3 of title 5, United States Code; or

4 (2) telework in accordance with chapter 65 of
 5 title 5, United States Code.

6 **SEC. 6. LIFESPAN RESPITE CARE.**

7 (a) DEFINITIONS.—Section 2901 of the Public
 8 Health Service Act (42 U.S.C. 300ii) is amended—

9 (1) in paragraph (1)—

10 (A) by redesignating subparagraphs (A)
 11 through (C) as clauses (i) through (iii), respec-
 12 tively, and realigning the margins accordingly;

13 (B) by striking “who requires care or su-
 14 pervision to—” and inserting “who—

15 “(A) requires care or supervision to—”;

16 (C) by striking the period and inserting “;
 17 or”; and

18 (D) by adding at the end the following:

19 “(B) is a veteran participating in the pro-
 20 gram of comprehensive assistance for family
 21 caregivers under section 1720G(a) of title 38,
 22 United States Code.”; and

23 (2) in paragraph (5), by striking “or another
 24 unpaid adult,” and inserting “another unpaid adult,
 25 or a family caregiver as defined in section 1720G of

1 title 38, United States Code, who receives compensa-
2 tion under such section,”.

3 (b) GRANTS AND COOPERATIVE AGREEMENTS.—Sec-
4 tion 2902(c) of the Public Health Service Act (42 U.S.C.
5 300ii–1(c)) is amended by inserting “and the interagency
6 working group on policies relating to caregivers of vet-
7 erans established under section 7 of the Military and Vet-
8 eran Caregiver Services Improvement Act of 2017” after
9 “Human Services”.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
11 2905 of the Public Health Service Act (42 U.S.C. 300ii–
12 4) is amended by striking “There are” and all that follows
13 through “2011.” and inserting “There are authorized to
14 be appropriated to carry out this title \$15,000,000 for
15 each of fiscal years 2017 through 2022.”.

16 **SEC. 7. INTERAGENCY WORKING GROUP ON CAREGIVER**
17 **POLICY.**

18 (a) ESTABLISHMENT.—There shall be established in
19 the executive branch an interagency working group on
20 policies relating to caregivers of veterans and members of
21 the Armed Forces (in this section referred to as the
22 “working group”).

23 (b) COMPOSITION.—

24 (1) IN GENERAL.—The working group shall be
25 composed of the following:

1 (A) A chairperson selected by the Presi-
2 dent.

3 (B) A representative from each of the fol-
4 lowing agencies or organizations selected by the
5 head of such agency or organization:

6 (i) The Department of Veterans Af-
7 fairs.

8 (ii) The Department of Defense.

9 (iii) The Department of Health and
10 Human Services.

11 (iv) The Department of Labor.

12 (v) The Centers for Medicare and
13 Medicaid Services.

14 (2) ADVISORS.—The chairperson may select
15 any of the following individuals that the chairperson
16 considers appropriate to advise the working group in
17 carrying out the duties of the working group:

18 (A) Academic experts in fields relating to
19 caregivers.

20 (B) Clinicians.

21 (C) Caregivers.

22 (D) Individuals in receipt of caregiver serv-
23 ices.

24 (c) DUTIES.—The duties of the working group are
25 as follows:

1 (1) To regularly review policies relating to care-
2 givers of veterans and members of the Armed
3 Forces.

4 (2) To coordinate and oversee the implementa-
5 tion of policies relating to caregivers of veterans and
6 members of the Armed Forces.

7 (3) To evaluate the effectiveness of policies re-
8 lating to caregivers of veterans and members of the
9 Armed Forces, including programs in each relevant
10 agency, by developing and applying specific goals
11 and performance measures.

12 (4) To develop standards of care for caregiver
13 services and respite care services provided to a care-
14 giver, veteran, or member of the Armed Forces by
15 a nonprofit or private sector entity.

16 (5) To ensure the availability of mechanisms for
17 agencies, and entities affiliated with or providing
18 services on behalf of agencies, to enforce the stand-
19 ards described in paragraph (4) and conduct over-
20 sight on the implementation of such standards.

21 (6) To develop recommendations for legislative
22 or administrative action to enhance the provision of
23 services to caregivers, veterans, and members of the
24 Armed Forces, including eliminating gaps in such

1 services and eliminating disparities in eligibility for
2 such services.

3 (7) To coordinate with State and local agencies
4 and relevant nonprofit organizations on maximizing
5 the use and effectiveness of resources for caregivers
6 of veterans and members of the Armed Forces.

7 (d) REPORTS.—

8 (1) IN GENERAL.—Not later than December 31,
9 2017, and annually thereafter, the chairperson of
10 the working group shall submit to Congress a report
11 on policies and services relating to caregivers of vet-
12 erans and members of the Armed Forces.

13 (2) ELEMENTS.—Each report required by para-
14 graph (1) shall include the following:

15 (A) An assessment of the policies relating
16 to caregivers of veterans and members of the
17 Armed Forces and services provided pursuant
18 to such policies as of the date of submittal of
19 the report.

20 (B) A description of any steps taken by
21 the working group to improve the coordination
22 of services for caregivers of veterans and mem-
23 bers of the Armed Forces among the entities
24 specified in subsection (b)(1)(B) and eliminate

1 barriers to effective use of such services, includ-
 2 ing aligning eligibility criteria.

3 (C) An evaluation of the performance of
 4 the entities specified in subsection (b)(1)(B) in
 5 providing services for caregivers of veterans and
 6 members of the Armed Forces.

7 (D) An evaluation of the quality and suffi-
 8 ciency of services for caregivers of veterans and
 9 members of the Armed Forces available from
 10 nongovernmental organizations.

11 (E) A description of any gaps in care or
 12 services provided by caregivers to veterans or
 13 members of the Armed Forces identified by the
 14 working group, and steps taken by the entities
 15 specified in subsection (b)(1)(B) to eliminate
 16 such gaps or recommendations for legislative or
 17 administrative action to address such gaps.

18 (F) Such other matters or recommenda-
 19 tions as the chairperson considers appropriate.

20 **SEC. 8. STUDIES ON POST-SEPTEMBER 11, 2001, VETERANS**
 21 **AND SERIOUSLY INJURED VETERANS.**

22 (a) LONGITUDINAL STUDY ON POST-9/11 VET-
 23 ERANS.—

24 (1) IN GENERAL.—The Secretary of Veterans
 25 Affairs shall provide for the conduct of a longitu-

1 dinal study on members of the Armed Forces who
2 commenced service in the Armed Forces after Sep-
3 tember 11, 2001.

4 (2) GRANT OR CONTRACT.—The Secretary shall
5 award a grant to, or enter into a contract with, an
6 appropriate entity unaffiliated with the Department
7 of Veterans Affairs to conduct the study required by
8 paragraph (1).

9 (3) PLAN.—Not later than one year after the
10 date of the enactment of this Act, the Secretary
11 shall submit to the Committee on Veterans' Affairs
12 of the Senate and the Committee on Veterans' Af-
13 fairs of the House of Representatives a plan for the
14 conduct of the study required by paragraph (1).

15 (4) REPORTS.—Not later than October 1, 2021,
16 and not less frequently than once every four years
17 thereafter, the Secretary shall submit to the Com-
18 mittee on Veterans' Affairs of the Senate and the
19 Committee on Veterans' Affairs of the House of
20 Representatives a report on the results of the study
21 required by paragraph (1) as of the date of such re-
22 port.

23 (b) COMPREHENSIVE STUDY ON SERIOUSLY IN-
24 JURED VETERANS AND THEIR CAREGIVERS.—

1 (1) IN GENERAL.—The Secretary of Veterans
2 Affairs shall provide for the conduct of a comprehen-
3 sive study on the following:

4 (A) Veterans who have incurred a serious
5 injury or illness, including a mental health in-
6 jury.

7 (B) Individuals who are acting as care-
8 givers for veterans.

9 (2) ELEMENTS.—The comprehensive study re-
10 quired by paragraph (1) shall include the following
11 with respect to each veteran included in such study:

12 (A) The health of the veteran and, if appli-
13 cable, the impact of the caregiver of such vet-
14 eran on the health of such veteran.

15 (B) The employment status of the veteran
16 and, if applicable, the impact of the caregiver of
17 such veteran on the employment status of such
18 veteran.

19 (C) The financial status and needs of the
20 veteran.

21 (D) The use by the veteran of benefits
22 available to such veteran from the Department
23 of Veterans Affairs.

24 (E) Any other information that the Sec-
25 retary considers appropriate.

1 (3) GRANT OR CONTRACT.—The Secretary shall
2 award a grant to, or enter into a contract with, an
3 appropriate entity unaffiliated with the Department
4 of Veterans Affairs to conduct the study required by
5 paragraph (1).

6 (4) REPORT.—Not later than two years after
7 the date of the enactment of this Act, the Secretary
8 shall submit to the Committee on Veterans' Affairs
9 of the Senate and the Committee on Veterans' Af-
10 fairs of the House of Representatives a report on the
11 results of the study required by paragraph (1).

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