

118TH CONGRESS
2D SESSION

H. R. 8881

To amend title 38, United States Code, to permanently authorize the performance of Department of Veterans Affairs disability examinations by non-Department physicians pursuant to contracts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2024

Mr. CISCOMANI (for himself, Ms. PEREZ, Mr. SCOTT FRANKLIN of Florida, Mr. DAVIS of North Carolina, and Mr. CARL) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to permanently authorize the performance of Department of Veterans Affairs disability examinations by non-Department physicians pursuant to contracts, 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 “Rural Veterans’ Im-
5 proved Access to Benefits Act of 2024”.

1 **SEC. 2. PERMANENT AUTHORITY FOR CONTRACT PHYSI-**
2 **CIANS TO PERFORM DEPARTMENT OF VET-**
3 **ERANS AFFAIRS DISABILITY EXAMINATIONS.**

4 (a) IN GENERAL.—Subchapter I of chapter 51 of title
5 38, United States Code, is amended by inserting after sec-
6 tion 5103A the following new section:

7 **“§ 5103B. Performance of disability examinations by**
8 **contract physicians**

9 “(a) AUTHORITY.—(1) A medical examination con-
10 ducted under section 5103A(d) of this title that is carried
11 out through the Under Secretary for Benefits may be
12 made by a person who is not an employee of the Depart-
13 ment in accordance with this section.

14 “(2) Any examination authorized under paragraph
15 (1) shall be performed pursuant to a contract entered into
16 between the Under Secretary for Benefits and that person.

17 “(b) LICENSURE OF CONTRACT HEALTH CARE PRO-
18 FESSIONALS.—(1) Notwithstanding any provision of law
19 regarding the licensure of health care professionals, a
20 health care professional described in paragraph (2) may
21 conduct an examination pursuant to a contract entered
22 into under subsection (a) at any location in any State so
23 long as the examination is within the scope of the author-
24 ized duties under such contract.

25 “(2) A health care professional described in this para-
26 graph is a person who is eligible for appointment to a posi-

1 tion in the Veterans Health Administration covered by sec-
2 tion 7402(b) of this title, who—

3 “(A) has a current unrestricted license to prac-
4 tice the health care profession of the health care
5 professional;

6 “(B) is not barred from practicing such health
7 care profession in any State; and

8 “(C) is performing authorized duties for the
9 Department pursuant to a contract entered into
10 under subsection (a).

11 “(c) SOURCE OF FUNDS.—Expenses of carrying out
12 this section, including payments for examination travel
13 and incidental expenses under the terms and conditions
14 set forth by section 111 of this title, shall be reimbursed
15 to the accounts available for the general operating ex-
16 penses of the Veterans Benefits Administration and infor-
17 mation technology systems from amounts available to the
18 Secretary for payment of compensation and pensions.

19 “(d) MECHANISM FOR TRANSMITTAL OF EVIDENCE
20 INTRODUCED BY APPLICATIONS DURING EXAMINA-
21 TIONS.—The Secretary shall establish a mechanism
22 whereby a health care professional authorized to provide
23 an examination under subsection (a) for an applicant for
24 a benefit described in paragraph (1) of such subsection

1 can transmit to the Secretary evidence introduced by the
2 applicant during such examination.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 after the beginning of chapter 51 of such title is amended
5 by inserting after the item relating to section 5103A the
6 following new item:

“5103B. Performance of disability examinations by contract physicians.”.

7 (c) TERMINATION OF PILOT PROGRAM.—The pilot
8 program under section 504(a) of the Veterans’ Benefits
9 Improvements Act of 1996 (Public Law 104–275; 38
10 U.S.C. 5101 note) is hereby terminated.

11 (d) REPORT TO CONGRESS.—Not later than three
12 years after the date of the enactment of this Act, the Sec-
13 retary of Veterans Affairs shall submit to Congress a re-
14 port on the effect of the use of the authority provided by
15 section 5103B of such title, as added by subsection (a),
16 on the cost, timeliness, and thoroughness of medical dis-
17 ability examinations.

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