

116TH CONGRESS
1ST SESSION

S. 1101

To ensure that only licensed health care providers furnish disability examinations under a certain Department of Veterans Affairs pilot program for use of contract physicians for disability examinations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 2019

Mr. RUBIO (for himself and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To ensure that only licensed health care providers furnish disability examinations under a certain Department of Veterans Affairs pilot program for use of contract physicians for disability examinations, 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 “Better Examiner
5 Standards and Transparency for Veterans Act of 2019”
6 or the “BEST for Vets Act of 2019”.

1 **SEC. 2. ENSURING ONLY LICENSED HEALTH CARE PRO-**
2 **VIDERS FURNISH MEDICAL DISABILITY EX-**
3 **AMINATIONS UNDER CERTAIN DEPARTMENT**
4 **OF VETERANS AFFAIRS PILOT PROGRAM FOR**
5 **USE CONTRACT PHYSICIANS FOR DISABILITY**
6 **EXAMINATIONS.**

7 (a) PROHIBITION ON USE OF CERTAIN HEALTH
8 CARE PROVIDERS.—Section 504(a) of the Veterans’ Ben-
9 efits Improvements Act of 1996 (Public Law 104–275; 38
10 U.S.C. 5101 note) is amended—

11 (1) by striking “The Secretary of Veterans Af-
12 fairs” and inserting the following:

13 “(1) IN GENERAL.—The Secretary of Veterans
14 Affairs”; and

15 (2) by adding at the end the following new
16 paragraph:

17 “(2) PROHIBITION.—No examination described
18 in paragraph (1) may be carried out under this sec-
19 tion by any health care provider other than one de-
20 scribed in subsection (c)(2).”.

21 (b) REMEDIES.—The Secretary of Veterans Affairs
22 shall take such actions as the Secretary considers appro-
23 priate to ensure that only health care providers described
24 in subsection (c)(2) of section 504 of the Veterans’ Bene-
25 fits Improvements Act of 1996 (Public Law 104–275; 38

1 U.S.C. 5101 note) are conducting examinations pursuant
 2 to contracts entered into under such section.

3 (c) ANNUAL REPORT.—Not later than one year after
 4 the date of the enactment of this Act and not less fre-
 5 quently than once each year thereafter, the Secretary shall
 6 submit to the Committee on Veterans’ Affairs of the Sen-
 7 ate and the Committee on Veterans’ Affairs of the House
 8 of Representatives a report on—

9 (1) the conduct of the pilot program established
 10 under section 504 of the Veterans’ Benefits Im-
 11 provements Act of 1996 (Public Law 104–275; 38
 12 U.S.C. 5101 note); and

13 (2) the actions of the Secretary under sub-
 14 section (b).

15 (d) TECHNICAL CORRECTIONS.—Section 504 of the
 16 Veterans’ Benefits Improvements Act of 1996 (Public
 17 Law 104–275; 38 U.S.C. 5101 note) is amended—

18 (1) in the section heading, by striking “**PHYSI-**
 19 **CIANS**” and inserting “**HEALTH CARE PRO-**
 20 **VIDERS**”; and

21 (2) in subsection (c)—

22 (A) in the subsection heading, by striking
 23 “PHYSICIANS” and inserting “HEALTH CARE
 24 PROVIDERS”;

1 (B) in paragraph (2), in the paragraph
2 heading, by striking “PHYSICIAN” and inserting
3 “HEALTH CARE PROVIDER”;

4 (C) in paragraph (1), by striking “physi-
5 cians” and inserting “health care providers”;
6 and

7 (D) by striking “physician” each place it
8 appears and inserting “health care provider”.

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