

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.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2021

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

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## 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.

