

.....  
(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To establish a pilot program to support medical residency and fellowship programs that assist veterans, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. NEGUSE introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To establish 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. PILOT PROGRAM TO SUPPORT MEDICAL RESI-**  
2 **DENCY AND FELLOWSHIP PROGRAMS THAT**  
3 **ASSIST VETERANS.**

4 (a) **PILOT PROGRAM REQUIRED.**—Not later than 180  
5 days after the date of the enactment of this Act, the Sec-  
6 retary of Veterans Affairs shall commence a pilot program  
7 to assess the feasibility and advisability of providing as-  
8 sistance to eligible recipients to establish or maintain pro-  
9 grams that assist veterans applying for compensation  
10 under chapter 11 of title 38, United States Code, in sub-  
11 stantiating their claims with independent medical exami-  
12 nations and opinions.

13 (b) **ELIGIBLE RECIPIENTS.**—For purposes of the  
14 pilot program required by subsection (a), an eligible recipi-  
15 ent is an entity that—

16 (1) is administering a medical residency or  
17 medical fellowship program in the United States or  
18 a territory of the United States; and

19 (2) is accredited by a nationally recognized ac-  
20 crediting agency.

21 (c) **DURATION.**—The Secretary shall carry out the  
22 pilot program required by subsection (a) during the five-  
23 year period beginning on the date of the commencement  
24 of the pilot program.

25 (d) **GRANTS.**—The Secretary shall carry out the pilot  
26 program required by subsection (a) through the award of

1 grants to eligible recipients to establish or maintain pro-  
2 grams as described in such subsection.

3 (e) COMPETITIVE PROCESS.—The Secretary shall es-  
4 tablish a competitive process for the award of the grants  
5 under the pilot program required by subsection (a).

6 (f) SELECTION OF GRANT RECIPIENTS.—In award-  
7 ing grants under the pilot program required by subsection  
8 (a), the Secretary may give preference to an eligible recipi-  
9 ent located in a rural area or an underserved area.

10 (g) USE OF GRANT FUNDS.—

11 (1) IN GENERAL.—Each eligible recipient re-  
12 ceiving a grant under the pilot program required by  
13 subsection (a) shall use the grant to establish or  
14 maintain a program as described in such subsection  
15 in which medical residents or fellows provide pro  
16 bono medical examinations and opinions for the pur-  
17 poses described in such subsection.

18 (2) REQUIREMENTS.—For each program estab-  
19 lished or maintained with amounts from a grant  
20 under the pilot program—

21 (A) medical residents and fellows shall  
22 practice under the supervision of attending phy-  
23 sicians in accordance with such supervisory re-  
24 quirements as the Secretary shall prescribe in  
25 regulations;

1 (B) each attending physician providing  
2 such supervision shall be in good standing with  
3 the medical licensing board of each State in  
4 which the attending physician is licensed;

5 (C) each medical resident and fellow shall  
6 be in good standing with—

7 (i) the program established or main-  
8 tained with amounts from the grant; and

9 (ii) the medical licensing board of  
10 each State in which the resident or fellow  
11 is licensed;

12 (D) each medical resident, fellow, and at-  
13 tending physician shall undergo training that is  
14 substantially the same as or equivalent to train-  
15 ing required for medical examiners of the Vet-  
16 erans Health Administration or contractors of  
17 the Department who conduct medical examina-  
18 tions for purposes of supporting claims for com-  
19 pensation under chapter 11 of title 38, United  
20 States Code;

21 (E) medical residents shall be in their sec-  
22 ond year or later of a medical residency;

23 (F) the program shall not charge veterans  
24 fees for the services provided;

1           (G) the program shall screen individual ap-  
2           plicants who are veterans using such income eli-  
3           gibility criteria as the Secretary shall prescribe  
4           in regulations;

5           (H) the recipient of the grant shall, on an  
6           annual basis, provide the Secretary with an ac-  
7           counting of how the recipient has used and allo-  
8           cated grant funds; and

9           (I) the program shall meet such other cri-  
10          teria as the Secretary may prescribe in regula-  
11          tions.

12          (h) FORMS.—The Secretary shall provide to each re-  
13          cipient of a grant under the pilot program required by sub-  
14          section (a) all current disability benefits questionnaire  
15          forms of the Department of Veterans Affairs.

16          (i) OUTREACH.—Not later than 180 days after the  
17          date of the enactment of this Act, the Secretary, in part-  
18          nership with veterans service organizations, shall imple-  
19          ment an informative outreach program for veterans re-  
20          garding the availability of services from programs estab-  
21          lished or maintained under the pilot program required by  
22          subsection (a).

23          (j) RULE OF CONSTRUCTION.—

1           (1) VOLUNTARY PARTICIPATION.—Participation  
2           by any veteran in the pilot program required by sub-  
3           section (a) shall be voluntary.

4           (2) RIGHT TO MEDICAL EXAMINATION.—Noth-  
5           ing in this section shall be construed to invalidate or  
6           replace the right of a veteran to a medical examina-  
7           tion provided by an employee or contractor of the  
8           Department of Veterans Affairs under section  
9           5103A(d) of title 38, United States Code.

10          (k) ANNUAL REPORTS.—

11           (1) IN GENERAL.—Not less frequently than  
12           once each year for the duration of the pilot program  
13           required by subsection (a), the Secretary shall sub-  
14           mit to the Committees on Veterans' Affairs of the  
15           Senate and the House of Representatives a report on  
16           the pilot program.

17           (2) CONTENTS.—To the extent feasible, each  
18           report submitted under paragraph (1) shall include  
19           the following:

20                   (A) The average time to complete medical  
21                   examinations and opinions under the pilot pro-  
22                   gram during the period covered by the report.

23                   (B) The number of medical examinations  
24                   and opinions completed under the pilot program  
25                   during such period.

1 (C) The number of veterans served under  
2 the pilot program during such period.

3 (D) The number of cases during such pe-  
4 riod in which personnel of the Veterans Bene-  
5 fits Administration or the Board of Veterans'  
6 Appeals found a medical examination or opinion  
7 under the pilot program to be inadequate for  
8 purposes of adjudicating a claim for compensa-  
9 tion under chapter 11 of title 38, United States  
10 Code.

11 (E) An analysis by the Secretary regarding  
12 the operational effectiveness and cost-effective-  
13 ness of the services provided under the pilot  
14 program.

15 (F) Such suggestions as the Secretary may  
16 have for legislative or administrative action to  
17 improve the pilot program.

18 (I) DEFINITIONS.—In this section:

19 (1) The term “rural area” means an area clas-  
20 sified as “rural” by the Bureau of the Census.

21 (2) The term “underserved area” means an  
22 area that meets one or more of the following cri-  
23 teria:

24 (A) The area has a high proportion of indi-  
25 viduals who have limited access to health care.

1                   (B) The area has a high proportion of in-  
2                   dividuals who have limited access to legal serv-  
3                   ices.

4                   (3) The term “veterans service organization”  
5                   means an organization recognized by the Secretary  
6                   for the representation of veterans under section  
7                   5902 of title 38, United States Code.