

## S 2921

### Veterans First Act

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Armed Forces and National Security

**Introduced:** May 11, 2016

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 467.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 467. (May 16, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/2921>

### Sponsor

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**Name:** Sen. Isakson, Johnny [R-GA]

**Party:** Republican • **State:** GA • **Chamber:** Senate

**Cosponsors** (45 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		May 11, 2016
Sen. Bennet, Michael F. [D-CO]	D · CO		May 11, 2016
Sen. Blumenthal, Richard [D-CT]	D · CT		May 11, 2016
Sen. Blunt, Roy [R-MO]	R · MO		May 11, 2016
Sen. Booker, Cory A. [D-NJ]	D · NJ		May 11, 2016
Sen. Boozman, John [R-AR]	R · AR		May 11, 2016
Sen. Brown, Sherrod [D-OH]	D · OH		May 11, 2016
Sen. Cantwell, Maria [D-WA]	D · WA		May 11, 2016
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		May 11, 2016
Sen. Daines, Steve [R-MT]	R · MT		May 11, 2016
Sen. Durbin, Richard J. [D-IL]	D · IL		May 11, 2016
Sen. Feinstein, Dianne [D-CA]	D · CA		May 11, 2016
Sen. Franken, Al [D-MN]	D · MN		May 11, 2016
Sen. Heinrich, Martin [D-NM]	D · NM		May 11, 2016
Sen. Heller, Dean [R-NV]	R · NV		May 11, 2016
Sen. Hirono, Mazie K. [D-HI]	D · HI		May 11, 2016
Sen. Kaine, Tim [D-VA]	D · VA		May 11, 2016
Sen. Klobuchar, Amy [D-MN]	D · MN		May 11, 2016
Sen. Leahy, Patrick J. [D-VT]	D · VT		May 11, 2016
Sen. Manchin, Joe, III [D-WV]	D · WV		May 11, 2016
Sen. McCaskill, Claire [D-MO]	D · MO		May 11, 2016
Sen. Moran, Jerry [R-KS]	R · KS		May 11, 2016
Sen. Murray, Patty [D-WA]	D · WA		May 11, 2016
Sen. Nelson, Bill [D-FL]	D · FL		May 11, 2016
Sen. Rounds, Mike [R-SD]	R · SD		May 11, 2016
Sen. Schatz, Brian [D-HI]	D · HI		May 11, 2016
Sen. Shaheen, Jeanne [D-NH]	D · NH		May 11, 2016
Sen. Sullivan, Dan [R-AK]	R · AK		May 11, 2016
Sen. Tester, Jon [D-MT]	D · MT		May 11, 2016
Sen. Tillis, Thomas [R-NC]	R · NC		May 11, 2016
Sen. Udall, Tom [D-NM]	D · NM		May 11, 2016
Sen. Murphy, Christopher [D-CT]	D · CT		May 12, 2016
Sen. Whitehouse, Sheldon [D-RI]	D · RI		May 12, 2016
Sen. Burr, Richard [R-NC]	R · NC		May 16, 2016
Sen. Donnelly, Joe [D-IN]	D · IN		May 16, 2016
Sen. Portman, Rob [R-OH]	R · OH		May 16, 2016
Sen. Wyden, Ron [D-OR]	D · OR		May 17, 2016
Sen. Coats, Daniel [R-IN]	R · IN		May 18, 2016
Sen. Roberts, Pat [R-KS]	R · KS		May 18, 2016
Sen. Capito, Shelley Moore [R-WV]	R · WV		May 19, 2016
Sen. Hoeven, John [R-ND]	R · ND		May 19, 2016

Cosponsor	Party / State	Role	Date Joined
Sen. Kirk, Mark Steven [R-IL]	R · IL		May 26, 2016
Sen. Boxer, Barbara [D-CA]	D · CA		Jun 21, 2016
Sen. Collins, Susan M. [R-ME]	R · ME		Sep 6, 2016
Sen. Enzi, Michael B. [R-WY]	R · WY		Nov 16, 2016

## Committee Activity

Committee	Chamber	Activity	Date
Veterans' Affairs Committee	Senate	Reported By	May 16, 2016

## Subjects & Policy Tags

### Policy Area:

Armed Forces and National Security

## Related Bills

Bill	Relationship	Last Action
114 S 425	Related bill	<b>Dec 7, 2016:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 716.
114 HR 6310	Related bill	<b>Nov 15, 2016:</b> Referred to the Subcommittee on Health.
114 S 1004	Related bill	<b>Oct 7, 2016:</b> Became Public Law No: 114-240.
114 HR 6107	Related bill	<b>Oct 6, 2016:</b> Referred to the Subcommittee on Disability Assistance and Memorial Affairs.
114 HR 6046	Related bill	<b>Sep 26, 2016:</b> Referred to the Subcommittee on Health.
114 S 3330	Related bill	<b>Sep 14, 2016:</b> Read twice and referred to the Committee on Veterans' Affairs.
114 HR 6003	Related bill	<b>Sep 13, 2016:</b> Referred to the Subcommittee on Economic Opportunity.
114 HR 4336	Related bill	<b>May 20, 2016:</b> Became Public Law No: 114-158.
114 HR 3484	Related bill	<b>May 17, 2016:</b> Placed on the Union Calendar, Calendar No. 442.
114 S 2772	Related bill	<b>Apr 11, 2016:</b> Read twice and referred to the Committee on Veterans' Affairs.
114 S 2473	Related bill	<b>Mar 15, 2016:</b> Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 114-558.
114 S 2661	Related bill	<b>Mar 10, 2016:</b> Read twice and referred to the Committee on Veterans' Affairs.
114 HR 2360	Related bill	<b>Feb 10, 2016:</b> Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.
114 S 2527	Related bill	<b>Feb 10, 2016:</b> Read twice and referred to the Committee on Veterans' Affairs.
114 HR 3991	Related bill	<b>Dec 3, 2015:</b> Referred to the Subcommittee on Economic Opportunity.
114 S 2334	Related bill	<b>Nov 30, 2015:</b> Read twice and referred to the Committee on Veterans' Affairs.
114 S 2253	Related bill	<b>Nov 18, 2015:</b> Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 114-252.
114 HR 1338	Related bill	<b>Nov 17, 2015:</b> Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.
114 S 1731	Related bill	<b>Nov 6, 2015:</b> Referred to the Subcommittee on Health.
114 S 2013	Related bill	<b>Oct 6, 2015:</b> Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 114-242.
114 S 2022	Related bill	<b>Oct 6, 2015:</b> Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 114-242.
114 S 1450	Related bill	<b>Sep 16, 2015:</b> Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 114-212.
114 S 1938	Related bill	<b>Sep 16, 2015:</b> Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 114-212.
114 HR 272	Related bill	<b>Jul 22, 2015:</b> Forwarded by Subcommittee to Full Committee by Voice Vote .
114 HR 421	Related bill	<b>Jul 22, 2015:</b> Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
114 HR 2256	Related bill	<b>Jul 22, 2015:</b> Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.
114 HR 2981	Related bill	<b>Jul 17, 2015:</b> Referred to the Subcommittee on Oversight and Investigations.
114 HR 832	Related bill	<b>Jun 25, 2015:</b> Forwarded by Subcommittee to Full Committee by Voice Vote .
114 HR 2531	Related bill	<b>Jun 5, 2015:</b> Referred to the Subcommittee on Economic Opportunity.
114 S 1496	Related bill	<b>Jun 3, 2015:</b> Read twice and referred to the Committee on Veterans' Affairs.
114 HR 1038	Related bill	<b>May 19, 2015:</b> Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.
114 HR 271	Related bill	<b>May 15, 2015:</b> Forwarded by Subcommittee to Full Committee by Voice Vote .
114 HR 643	Related bill	<b>Apr 16, 2015:</b> Forwarded by Subcommittee to Full Committee by Voice Vote .
114 S 695	Related bill	<b>Mar 10, 2015:</b> Read twice and referred to the Committee on Veterans' Affairs.
114 HR 995	Related bill	<b>Mar 6, 2015:</b> Referred to the Subcommittee on Disability Assistance and Memorial Affairs.
114 HR 182	Related bill	<b>Feb 6, 2015:</b> Referred to the Subcommittee on Economic Opportunity.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

## **Veterans First Act**

### **TITLE I--PERSONNEL AND ACCOUNTABILITY MATTERS**

This bill establishes in the Department of Veterans Affairs (VA) the Office of Accountability and Whistleblower Protection.

The VA is required to develop criteria to promote supervisory protection of whistle-blowers.

The bill revises VA authority to remove certain employees or senior VA executives for reasons of misconduct or performance.

The VA shall conduct an annual performance plan for each political appointee that is similar to the performance plan for a career appointee in a VA Senior Executive Service position.

The VA may not pay a bonus to any employee against whom it is considering carrying out an adverse personnel action.

A VA official who has participated personally and substantially in a VA acquisition that exceeds \$10 million shall, prior to termination, obtain a written opinion from a VA ethics counselor regarding post-VA activity restrictions.

### **TITLE II--HEALTH CARE MATTERS**

#### *Jason Simcakoski Memorial Act*

The bill: (1) includes each immunization on the recommended adult immunization schedule in the VA preventive health services, and (2) expands veterans' chiropractor services.

The bill establishes the Veterans Expedited Recovery Commission to examine the VA's evidence-based therapy model for treating mental health illnesses.

The VA shall establish standards to ensure that each eligible veteran has access to mental health care in a manner that accommodates the veteran's obligation to not improperly disclose classified information.

The bill requires education and training of marriage and family therapists and licensed professional mental health counselors to be included in health personnel education and training programs.

Doctoral degrees are included in qualifications for licensed mental health counselors.

The VA shall: (1) require additional information about a prospective health care employee from the medical board of each state in which the health care provider holds or has held a medical license, and (2) provide state medical boards with information regarding VA health care providers who have violated a medical license requirement.

The VA family caregiver program is expanded to include an information technology system that allows for data assessment and comprehensive program monitoring.

The bill establishes a VA advisory committee on caregiver policies.

The VA shall develop partnerships with institutions of higher education to establish or expand advanced degree programs in prosthetics and orthotics.

The VA shall revive the Intermediate Care Technician Pilot Program that was carried out from January 2013 through February 2014.

The VA may place a requesting veteran for whom it is required to provide nursing home care in a medical foster home that meets appropriate VA standards.

The bill sets forth requirements for VA hospitals with emergency departments to provide appropriate examination and stabilizing treatment for emergency medical conditions and women in labor.

The VA and the Department of Defense (DOD) shall jointly update the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain.

The VA shall: (1) expand its Opioid Safety Initiative to include all VA medical facilities, (2) establish standard designation protocols for pain management teams, and (3) increase the availability of opioid receptor antagonists approved by the Food and Drug Administration (FDA).

The bill establishes the VA Office of Patient Advocacy.

The VA shall conduct outreach to inform veterans how to resolve credit issues caused by delayed payment of emergency care claims furnished through a non-VA provider.

The VA shall ensure that payments are made promptly to non-VA health care providers.

If the VA is unable to furnish certain hospital, medical, or extended care at VA facilities or under other authorized contracts or sharing agreements, it may enter into a Veterans Care Agreement with an eligible provider to furnish such care.

The VA shall seek to enter into an agreement with the National Academy of Medicine for an assessment of scientific research relating to the descendants of individuals with toxic exposure.

The bill authorizes the VA to carry out specified major medical facility projects involving seismic corrections and construction of facilities in California, Maryland, Kentucky, and Washington.

The VA may implement a tracking system for biological implants from human donor or animal source to implantation.

The VA may procure biological implants of human origin only from qualifying vendors.

The VA shall: (1) adopt the Federal Drug Administration's unique device identification system to identify biological implants for use in VA medical procedures; (2) expand research and integration of complementary and integrative health services into veterans health care services; and (3) carry out a three-year program to assess the feasibility of integrating complementary and alternative medicine services for veterans with mental health conditions, chronic pain conditions, and other chronic conditions.

### TITLE III--DISABILITY COMPENSATION AND PENSION

The VA may pay burial and funeral expenses, accrued benefits, dependency and indemnity compensation, and non-

service connected disability or death pension amounts to a survivor of a veteran who has not filed a formal claim if the record contains sufficient evidence to establish the survivor's entitlement to such benefits.

The bill increases the special monthly pension for living Medal of Honor recipients.

The Veterans Benefits Act of 2003 is amended to extend until December 31, 2017, VA authority to provide for persons other than VA employees (i.e., contract physicians) to conduct medical disability examinations of applicants for VA benefits.

Licensed, VA-contracted physicians may conduct such examinations at any location in any state, the District of Columbia, or a U.S. commonwealth, territory, or possession so long as the examination is authorized under a contract.

The VA shall carry out a five-year pilot program for an optional disability claims appeals process.

#### **TITLE IV--EDUCATION**

Any member of the Armed Forces who died between September 11, 2001, and December 31, 2005, is deemed to have died on January 1, 2006, in order to make that member's surviving spouse eligible for the Marine Gunnery Sergeant John David Fry scholarship. (Under current law, surviving spouses of service members who die in the line of duty after September 11, 2001, are eligible for such assistance until the earlier of the date they remarry or the date that is 15 years after the military spouse's death.)

VA educational assistance payments for a veteran who was forced to discontinue a course, who did not receive credit, or who lost training time toward completion of an education program because of a permanent school closure shall not be charged against the individual's educational assistance entitlement or counted against the aggregate assistance period.

The bill revises the process for electing Post-9/11 educational benefits.

#### **TITLE V--EMPLOYMENT AND TRANSITION**

Each state director for veterans' employment and training shall coordinate activities with the state departments of labor and veterans affairs.

#### **TITLE VI--HOMELESS VETERANS**

The bill includes as a homeless veteran for purposes of VA benefits a veteran or veteran's family fleeing domestic violence, sexual assault, stalking, or other dangerous or life-threatening conditions in their current housing situation.

The VA shall shall carry case management services to improve the retention of housing by: (1) veterans who were previously homeless and who are transitioning to permanent housing, and (2) veterans who are at risk of becoming homeless. The VA, by September 1, 2017, must assess the feasibility of providing intensive case management interventions for certain homeless veterans.

The VA shall establish the National Center on Homelessness Among Veterans.

The VA may enter into partnerships with public or private entities to fund a portion of the general legal services that such entities provide to homeless veterans and veterans at risk of homelessness.

This bill eliminates the minimum continuous active duty service requirement for homeless veterans to receive certain

benefits, including: (1) outreach, (2) rehabilitative services, (3) vocational counseling and training, (4) transitional housing assistance, (5) supportive services for very low-income veteran families in permanent housing, and (6) health care for homeless veterans with special needs.

Homeless veterans are exempted from disqualification for such benefits because of a discharge or dismissal from the Armed Forces under conditions other than honorable, except for a discharge by reason of a general court-martial.

"Veteran" is defined for purposes of such benefits as a person who served in the active military, naval, or air service, regardless of length of service, and who was discharged or released therefrom, except for a person who: (1) received a dishonorable discharge, or (2) was discharged or dismissed by reason of a general court-martial.

## **TITLE VII--UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS**

The bill extends the temporary expansion of the Court of Appeals for Veterans Claims until January 1, 2021.

## **TITLE VIII--BURIAL BENEFITS**

The VA, in lieu of furnishing a headstone or marker to a deceased individual who served in the Armed Forces on or after April 6, 1917, and who is eligible for a headstone or marker, or who would be eligible but for his or her date of death, may furnish a medallion or other device to signify such individual's veteran status, to be attached to a headstone or marker furnished at private expense.

## **TITLE IX--OTHER MATTERS**

The VA may carry out specified leases at the VA's West Los Angeles Campus in Los Angeles, California.

The President shall issue an annual proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day.

### **Actions Timeline**

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- **May 16, 2016:** Committee on Veterans' Affairs. Reported by Senator Isakson without amendment. Without written report.
- **May 16, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 467.
- **May 12, 2016:** Committee on Veterans' Affairs. Ordered to be reported without amendment favorably.
- **May 11, 2016:** Introduced in Senate
- **May 11, 2016:** Read twice and referred to the Committee on Veterans' Affairs.