

S 141

Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

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Sponsor

Name: Sen. Moran, Jerry [R-KS]

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

Cosponsors (33 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hassan, Margaret Wood [D-NH]	D · NH		Jan 30, 2023
Sen. Tester, Jon [D-MT]	D · MT		Jan 30, 2023
Sen. Blumenthal, Richard [D-CT]	D · CT		Mar 1, 2023
Sen. Klobuchar, Amy [D-MN]	D · MN		Mar 14, 2023
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Mar 27, 2023
Sen. Cortez Masto, Catherine [D-NV]	D · NV		Mar 27, 2023
Sen. Boozman, John [R-AR]	R · AR		Mar 28, 2023
Sen. Scott, Rick [R-FL]	R · FL		Mar 30, 2023
Sen. Capito, Shelley Moore [R-WV]	R · WV		Apr 19, 2023
Sen. Rosen, Jacky [D-NV]	D · NV		Apr 20, 2023
Sen. Welch, Peter [D-VT]	D · VT		Apr 20, 2023
Sen. Kelly, Mark [D-AZ]	D · AZ		Apr 25, 2023
Sen. King, Angus S., Jr. [I-ME]	I · ME		Apr 25, 2023
Sen. Sinema, Kyrsten [I-AZ]	I · AZ		Apr 25, 2023
Sen. Stabenow, Debbie [D-MI]	D · MI		Apr 25, 2023
Sen. Coons, Christopher A. [D-DE]	D · DE		Apr 26, 2023
Sen. Merkley, Jeff [D-OR]	D · OR		May 16, 2023
Sen. Cruz, Ted [R-TX]	R · TX		May 30, 2023
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jun 7, 2023
Sen. Rounds, Mike [R-SD]	R · SD		Jun 8, 2023
Sen. Padilla, Alex [D-CA]	D · CA		Jul 10, 2023
Sen. Warnock, Raphael G. [D-GA]	D · GA		Jul 10, 2023
Sen. Rubio, Marco [R-FL]	R · FL		Jul 25, 2023
Sen. Kaine, Tim [D-VA]	D · VA		Sep 5, 2023
Sen. Shaheen, Jeanne [D-NH]	D · NH		Sep 28, 2023
Sen. Sullivan, Dan [R-AK]	R · AK		Oct 19, 2023
Sen. Fetterman, John [D-PA]	D · PA		Oct 24, 2023
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Mar 12, 2024
Sen. Peters, Gary C. [D-MI]	D · MI		Sep 12, 2024
Sen. Van Hollen, Chris [D-MD]	D · MD		Sep 17, 2024
Sen. Marshall, Roger [R-KS]	R · KS		Sep 25, 2024
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Nov 21, 2024
Sen. Duckworth, Tammy [D-IL]	D · IL		Dec 11, 2024

Committee Activity

Committee	Chamber	Activity	Date
Veterans' Affairs Committee	Senate	Discharged From	Dec 12, 2024

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
118 HR 8371	Related bill	Nov 19, 2024: Received in the Senate.
118 HR 542	Related bill	Dec 6, 2023: Received in the Senate.

Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act

This act addresses various programs, benefits, and services provided by the Department of Veterans Affairs (VA), including those related to health care, educational assistance, home loans, homelessness, and disability and memorial affairs.

TITLE I--HEALTH CARE MATTERS

Subtitle A--Veterans Community Care Program Matters

(Sec. 101) This section requires that for a two-year period the VA must provide care under the Veterans Community Care Program (VCCP) when the veteran and the referring clinician determine it is in the best medical interest of the veteran. The veteran and the clinician may correct any errors made with respect to a determination of eligibility for VCCP care.

(Sec. 102) This section requires the VA to conduct outreach to inform veterans about care and services available under the VCCP. The Government Accountability Office (GAO) must report to Congress on the efforts of the VA to ensure that veterans are informed about eligibility for VCCP care and services.

(Sec. 103) This section requires the VA to annually review and report to Congress on waivers of payment rates for Third Party Administrators (i.e., entities that manage provider networks and perform administrative services related to such networks) to identify whether the waivers help alleviate community-specific challenges.

(Sec. 104) This section requires the VA to periodically update standards of quality of care utilizing the most up-to-date practices and all relevant data.

(Sec. 105) This section requires the VA to implement a pilot program to seek to develop and implement a plan for the improvement of the administration of care under the VCCP.

(Sec. 106) This section requires the VA to implement a pilot program to hire (1) general dentists at VA medical facilities to manage approval of treatment plans requested by dental providers in providing care under the VCCP, and (2) dental specialists at Veterans Integrated Service Networks (VISNs) to manage approval of treatment plans for specialty dental care requested by dental providers in providing dental care under the VCCP.

(Sec. 107) This section requires the VA to (1) establish a working group on value-based care, and (2) submit a strategic plan developed by the group to Congress. Following the submission of the plan, the VA must commence a three-year pilot program to implement the plan relating to the delivery, by the Veterans Health Administration (VHA), of primary care, inpatient and outpatient mental health treatment, inpatient and outpatient substance abuse treatment, spinal cord injury disorder care, and polytrauma care.

(Sec. 108) This section requires the VA to create and implement a plan to adopt national health information interoperability standards for the VA and VCCP providers with respect to the coordination of care and benefits, patient identity matching, measurement and reporting of quality, population health, and public health. Additionally, the VA must submit to Congress a plan to provide a capability to facilitate the electronic direct exchange of veterans' health records and related documents to VCCP providers at no cost.

(Sec. 109) This section requires the VA to report on efforts to incorporate value-based reimbursement models under the

VCCP and related recommendations for legislative or administrative action.

(Sec. 110) The Office of Inspector General (OIG) of the VA must periodically assess the VA's performance in (1) appropriately identifying veterans eligible for care and services under the VCCP, (2) informing veterans of their eligibility for such care and services, and (3) delivering such care and services in a timely manner. The OIG must brief Congress on such assessments.

(Sec. 111) The GAO must report to Congress on the dental care furnished by the VA under the VCCP, including the impact of reimbursement rates and dental provider satisfaction.

Subtitle B--Matters Relating to Nursing Home and Other Long Term Care and Family Caregivers

(Sec. 120) Under this section, the cost of providing noninstitutional alternatives to nursing home care generally may not exceed 100% of the cost that would have been incurred if a veteran had been furnished VA nursing home care. (Under existing law, these expenditures are limited to 65% of the cost.) However, for certain veterans, the VA may exceed 100% of the cost if it determines the higher cost is in the best interest of such veterans (i.e., veterans with amyotrophic lateral sclerosis, a spinal cord injury, or a condition the Secretary determines to be similar to such conditions).

(Sec. 121) The VA must seek to enter into an agreement with the Program of All-Inclusive Care for the Elderly (PACE) in certain areas to furnish noninstitutional alternatives to nursing home care.

(Sec. 122) This section authorizes the VA to award grants or contracts to carry out, coordinate, improve, or otherwise enhance mental health counseling, treatment, or support to the family caregivers of veterans who are participating in the Program of Comprehensive Assistance for Family Caregivers (PCAFC).

(Sec. 123) This section provides statutory authority for various VA programs (e.g., the Veteran Directed Care program) to expand access to home- and community-based services.

(Sec. 124) For veterans or family caregivers who are denied support or discharged from the PCAFC, the VA must assess the veteran or caregiver for support from another program. This section requires that a caregiver support coordinator provide for a personalized transition to an appropriate program for individuals discharged from the PCAFC.

(Sec. 125) Under existing law, the VA must provide notifications regarding decisions affecting the furnishing of assistance to individuals who submit applications for the PCAFC and their family caregivers. This section requires the VA to provide such notifications to individuals who are being reassessed for eligibility to continue in the program.

(Sec. 126) The VA must implement a three-year pilot program to provide homemaker and home health aide services to veterans who reside in communities with a shortage of home health aides. Additionally, the VA must issue updated guidance for the Homemaker and Home Health Aide program that includes specified elements, including a process for transitioning veterans from the Homemaker and Home Health Aide program to other programs.

(Sec. 127) This section requires the VA to implement a pilot program to assess the effectiveness of providing assisted living services to veterans who meet certain requirements and elect to participate. The VA OIG must report on the program.

(Sec. 128) This section authorizes the VA to provide state homes with medicine, personal protective equipment, medical supplies, and other assistance available to the VA. A *state home* is a home established by a state or tribe for veterans who are disabled by age, disease, or otherwise and are incapable of earning a living because of such disability. The term

also includes a home that furnishes nursing home care for veterans.

(Sec. 129) This section requires the VA to establish a process through which it may recognize organizations and individuals to assist a veteran, a veteran's family member, or a veteran's caregiver in navigating the programs and services of the VHA.

(Sec. 130) The VHA must review programs administered through the Office of Geriatric and Extended Care and the Caregiver Support Program Office to ensure, among other elements, consistency in program management. This section also requires the VA to review incentives and efforts relating to the provision of home- and community-based services. Further, the VA must also review the use, availability, cost, and effectiveness of its respite care services.

(Sec. 131) The GAO must report to Congress on the provision of mental health support to caregivers of veterans.

(Sec. 132) This section requires the VA to develop and maintain a centralized and publicly accessible website for information and resources relating to VA programs for home- and community-based services.

Subtitle C--Medical Treatment and Other Matters

(Sec. 140) This section requires the VA to provide Congress with a quarterly report on the amount of time between steps in the referral process for referrals for non-VA health care for each medical facility that originates such a referral.

(Sec. 141) This section removes certain requirements for appointing Assistant Under Secretaries for Health within the Office of the Under Secretary for Health of the VA (e.g., the requirement that at least one appointee must be a qualified doctor of dental surgery or dental medicine).

(Sec. 142) This section generally aligns the position of optometrists with that of physicians for pay and grade purposes within the VHA. Further, the section provides that the VHA may authorize awards or incentives to physicians, podiatrists, optometrists, and dentists and may waive any pay limitation it determines necessary for the recruitment or retention of critical health care personnel. The section also authorizes retroactive compensation in certain situations where compensation was deferred due to a cap on the employee's annual compensation.

(Sec. 143) This section requires the VA to pay or reimburse certain veterans that have service-connected disabilities for the cost of an ambulance from certain rural areas to a VA provider, non-VA provider, or hospital that can meet the needs of the veteran for care. Specifically, the location must be in a state that is 100 miles or more from the nearest VA medical center and be in an area rated as a 10 or higher under the rural-urban commuting areas coding system of the Department of Agriculture.

(Sec. 144) This section requires the VA to implement a two-year pilot program to provide VA dental care to veterans who are (1) enrolled in the VA health care system but are not currently eligible for VA dental services and treatment, and (2) have been diagnosed with ischemic heart disease.

(Sec. 145) This section requires the VA to develop a mechanism to solicit the preference of veterans enrolled in the VA health care system regarding how appointments are scheduled, including through non-VA providers.

(Sec. 146) This section requires the VA to develop, validate, and implement a staffing model for the Office of Integrated Veteran Care, VISNs, and VA medical centers that includes appropriate target staffing levels nationally, regionally, and locally to ensure timely access to care and effectively oversee the provision of care by VA and non-VA providers. The GAO must assess the performance of the Office of Integrated Veteran Care in improving access to care for veterans in

VA facilities and provide recommendations for improving access to care.

(Sec. 147) This section requires the VA to establish a health education portal with interactive modules to ensure that veterans who are enrolled in the VA health care system understand their basic health care eligibilities and entitlements.

(Sec. 148) This section requires the VA to comply with certain notification and staffing requirements when a VA medical center director is on detail. Specifically, within 90 days, the VA must notify Congress with specified information about the detail (e.g., the location of the detail). Additionally, the VA must appoint an individual as acting director not later than 120 days after detailing a director to a different position.

(Sec. 149) This section requires the VA to publish reports, including an annual report, on veteran suicide prevention. Additionally, the section requires the VA to enter into one or more contracts with a private entity or entities to assess the annual report. Further, the VA must collaborate with the Centers for Disease Control and Prevention to develop a toolkit for state and local coroners and medical examiners on best practices for identifying and reporting on suicide deaths of veterans.

(Sec. 150) This section requires the VA to report to Congress on each medical center or other relevant VA health care facility regarding the physical infrastructure such facilities need to provide dental care services to veterans.

(Sec. 151) The GAO must report to Congress on the status of oral health care programs of the VA.

(Sec. 152) The VA must review the workflows directly associated with processing referrals of patients between VHA facilities to identify specific delays or bottlenecks in such referrals.

(Sec. 153) This section requires the VA to develop a plan to ensure the timely scheduling of appointments for veterans who contact the VA for care or services.

(Sec. 154) This section authorizes for FY2025 the Office of Women's Health within the VA to expand access of women veterans to mobile mammography initiatives, advanced mammography equipment, and outreach activities to publicize those initiatives and equipment.

TITLE II--ECONOMIC OPPORTUNITY MATTERS

Subtitle A--Educational Assistance

(Sec. 201) This section temporarily expands eligibility for the Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship) to a child or spouse of a person who died from a service-connected disability within 120 days of being discharged or released from duty in the Armed Forces and (1) received an honorable discharge, or (2) whose service is characterized as honorable service.

(Sec. 202) This section removes the expiration on a surviving spouses' entitlement to educational assistance through the Fry Scholarship.

(Sec. 203) This section imposes sole liability for overpayments of educational assistance under the Post-9/11 GI Bill on the individual who was eligible for such assistance in situations where the individual failed to complete a service agreement and transferred the entitlement to a dependent.

(Sec. 204) This section increases from one to two business days the maximum advance notice that the VA or state approving agency must provide to an educational institution before conducting a targeted risk-based survey.

(Sec. 205) This section requires that when the VA is determining whether to waive the requirement that an educational institution participate in certain federal student financial aid programs as a condition of approval for the VA's educational assistance programs, it must make such a determination because of one of the following criteria: (1) an educational institution has elected not to participate in a federal student financial aid program, (2) an educational institution cannot participate in such a program, or (3) the institution is in the process of applying to participate in such a program. The section also limits such waivers to a period of 36 months.

(Sec. 206) This section requires educational institutions to notify state approving agencies or the VA within 30 days of becoming subject to certain unfavorable actions as a condition of approval for VA educational assistance purposes. The state approving agency or the VA must take disciplinary action (e.g., revocation of the approval of courses and programs by an institution) if an institution does not comply with the notification requirements prescribed under this act.

(Sec. 207) This section requires, as a condition of approval for VA educational assistance purposes, an educational institution to make digital transcript copies available to eligible persons and veterans.

(Sec. 208) For purposes of providing a monthly housing stipend under the Post-9/11 GI Bill, this section requires the VA to treat an individual utilizing such education benefits in the last semester, term, or academic period as if they are pursuing a program of education on a full-time basis.

(Sec. 209) This section modifies the requirements for approval of certain commercial driver education programs for purposes of VA educational assistance. Additionally, the section requires the GAO to study and report on such modifications to address the effects and determine the feasibility and advisability of similarly adjusting approval requirements for other vocational programs.

(Sec. 210) This section requires the VA to provide electronically (1) certificates of eligibility for the entitlement of an individual to educational assistance, and (2) award letters regarding the authorization of individuals to receive educational assistance. Individuals may elect to receive such documents by mail.

(Sec. 211) Under current law, when an individual transfers fewer than 12 credits from a program of education that is closed or disapproved before September 30, 2025, the individual is deemed to have not received those credits, and no charge from the individual's entitlement to education assistance may be made for that period of enrollment. Under this section, this period of relief for those affected by a closure or disapproval applies to programs that closed or discontinued from the period beginning on August 1, 2021, through September 30, 2025.

(Sec. 212) This section requires the VA to implement through FY2028 a program under which it provides up to 4,000 covered veterans per year the opportunity to enroll in high technology programs of education that provide nondegree training or skills related to computer programming, computer software, media application, data processing, or information sciences. A covered veteran (1) is under the age of 62, served an aggregate of at least 36 months on active duty, and was discharged or released from service under conditions other than dishonorable; or (2) will satisfy such requirements in fewer than 180 days after the VA's determination.

(Sec. 213) This section requires the VA to provide at least 90 days of notice (and justification) before implementing any change to policy or guidance related to VA educational assistance.

(Sec. 214) This section requires the VA to update its payment system to allow for electronic fund transfer of VA educational assistance to a foreign institution of higher education that provides an approved course of education to eligible recipients and does not have an employer identification number or an account with a domestic bank.

(Sec. 215) This section requires the VA to maintain its GI Bill Comparison Tool or successor tool to provide relevant and timely information about approved programs of education and the institutions offering such programs. Additionally, the VA must ensure that its employees who provide specified counseling or assistance as part of the Transition Assistance Program are trained on how to (1) properly use the tool, and (2) provide appropriate educational counseling services to eligible individuals.

Subtitle B--Employment and Training

(Sec. 221) This section modifies provisions related to employment and reemployment rights under the Uniformed Services Employment and Reemployment Rights Act (USERRA). Among other elements, the section (1) provides for injunctive relief for certain employment and reemployment actions against state or private employers, (2) modifies the remedies available under USERRA actions, and (3) requires the GAO to review and report on the methods through which the Veterans' Employment and Training Service of the Department of Labor processes actions for relief under USERRA.

(Sec. 222) This section requires Labor to periodically review its manual titled *Veterans' Employment and Training Service Investigations Manual: USERRA, VEOA, and VP* and make revisions as appropriate.

(Sec. 223) This section (1) requires the VA to annually report to Congress on the Warrior Training Advancement Course (WARTAC) of the Veterans Benefits Administration, (2) requires Labor to establish guidelines containing best practices for the federal entities that carry out programs to employ veterans who are transitioning from service to civilian life, and (3) requires the Department of the Interior to establish a pilot program to proactively inform veterans of available employment positions relating to conservation and resource management at Interior.

Subtitle C--Home Loans

(Sec. 231) This section expands the VA's Native American Direct Loan program by allowing Native American veterans to refinance their existing non-VA mortgage loans if certain conditions are met.

(Sec. 232) This section authorizes the VA to make a loan with a 1% interest rate to a Native community development financial institution to allow the institution to relend loan amounts to qualified Native American veterans for homes on federal trust land.

TITLE III--DISABILITY AND MEMORIAL AFFAIRS MATTERS

(Sec. 301) This section requires the VA to provide a burial and funeral allowance for a veteran who dies before October 1, 2026, in a home or other setting at which the veteran was receiving VA hospice care if such care was directly preceded by VA hospital or nursing home care.

(Sec. 302) This section authorizes the VA to provide grants to states and tribes to improve outreach and assistance to veterans and their spouses, children, and parents to ensure they are fully informed about and assisted in applying for VA benefits and programs.

(Sec. 303) This section modifies the definition of a surviving spouse for purposes of veterans benefits to (1) include spouses in same sex marriages, and (2) remove a limitation on persons who have publicly held themselves out to be the spouse of another person after the death of the veteran but have not officially remarried.

(Sec. 304) This section specifies that only licensed health care professionals may conduct VA medical disability examinations for benefits purposes.

(Sec. 305) This section requires that the VA must provide to licensed health care professionals who conduct VA medical disability examinations the contact information of any VA-recognized agent or attorney with regards to a claim for benefits that gives rise to such an examination.

(Sec. 306) This section requires all disability benefit questionnaire data collected by contracted non-VA health care providers in the course of VA medical disability examinations to be transmitted to the VA in a machine-readable format.

(Sec. 307) This section requires the VA to modify its information technology systems to use automation technology for temporary disability ratings for disability compensation claims.

TITLE IV--HOMELESSNESS MATTERS

Housing our Military Veterans Effectively Act of 2024 or the HOME Act of 2024

(Sec. 402) This section increases through FY2027 the maximum rate of per diem payments provided by the VA to entities (i.e., grant recipients or authorized entities) that furnish services and transitional housing to homeless veterans. The section also authorizes the VA to pay a maximum of 200% of the otherwise applicable maximum rate to up to half of grant recipients and authorized entities in each fiscal year from FY2025 through FY2027. The VA may not provide more than 12,000 per diem payments in a fiscal year.

(Sec. 403) Through FY2027, this section authorizes the VA to use certain available funds to provide certain assistance (e.g., food and clothing) to homeless veterans who are participating in the Department of Housing and Urban Development-VA Supportive Housing (HUD-VASH) program. The section also authorizes the VA to collaborate with organizations to manage the use of VA land for homeless veterans to live and sleep.

(Sec. 404) This section requires the VA to ensure that veterans who are participating in a VA program for homeless veterans have access to telehealth services.

TITLE V--OVERSIGHT AND INVESTIGATIONS MATTERS

(Sec. 501) This section requires new employees of the VA to undergo training developed by the VA OIG regarding the reporting of wrongdoing to, responding to requests from, and the duty of cooperating with the OIG.

(Sec. 502) This section requires the VA to annually survey certain employees who are responsible for security operations at VA facilities where VA police officers have jurisdiction to collect information regarding security.

(Sec. 503) This section extends certain loan fee rates through June 9, 2034, under the VA's home loan program.

Actions Timeline

- **Jan 2, 2025:** Signed by President.
- **Jan 2, 2025:** Became Public Law No: 118-210.
- **Dec 23, 2024:** Presented to President.
- **Dec 16, 2024:** Received in the House.
- **Dec 16, 2024:** Held at the desk.
- **Dec 16, 2024:** Mr. Bost moved to suspend the rules and pass the bill.
- **Dec 16, 2024:** Considered under suspension of the rules. (consideration: CR H7180-7207)
- **Dec 16, 2024:** DEBATE - The House proceeded with forty minutes of debate on S. 141.
- **Dec 16, 2024:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Dec 16, 2024:** Considered as unfinished business. (consideration: CR H7220-7221)
- **Dec 16, 2024:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 382 - 12 (Roll no. 504). (text: CR H7180-7206)
- **Dec 16, 2024:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 382 - 12 (Roll no. 504). (text: CR H7180-7206)
- **Dec 16, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 13, 2024:** Message on Senate action sent to the House.
- **Dec 12, 2024:** Senate Committee on Veterans' Affairs discharged by Unanimous Consent.
- **Dec 12, 2024:** Measure laid before Senate by unanimous consent. (consideration: CR S7043-7044)
- **Dec 12, 2024:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Dec 12, 2024:** Passed Senate with an amendment by Unanimous Consent. (text of amendment in the nature of a substitute: CR S7013-7040)
- **Feb 16, 2023:** Committee on Veterans' Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jan 30, 2023:** Introduced in Senate
- **Jan 30, 2023:** Read twice and referred to the Committee on Veterans' Affairs.