

118TH CONGRESS
2D SESSION

S. 3885

To expand medical, employment, and other benefits for individuals serving as family caregivers for certain veterans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2024

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

A BILL

To expand medical, employment, and other benefits for individuals serving as family caregivers for certain 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 “Veteran Caregiver Re-
5 education, Reemployment, and Retirement Act”.

1 **SEC. 2. EXTENSION OF PERIOD OF MEDICAL CARE COV-**
2 **ERAGE FOR CAREGIVERS DESIGNATED AS**
3 **PRIMARY PROVIDERS OF PERSONAL CARE**
4 **SERVICES FOR VETERANS.**

5 (a) IN GENERAL.—Subsection (a)(4) of section 1781
6 of title 38, United States Code, is amended by inserting
7 before the comma at the end the following: “, including
8 during the 180-day period following the removal of such
9 designation unless the individual was dismissed from the
10 program under section 1720G(a) of this title for fraud,
11 abuse, or mistreatment”.

12 (b) LIMITATION ON ELIGIBILITY FOR CAREGIVERS
13 ENTITLED TO MEDICARE.—Subsection (d) of such section
14 is amended—

15 (1) by redesignating paragraph (4) as para-
16 graph (5); and

17 (2) by inserting after paragraph (3) the fol-
18 lowing new paragraph:

19 “(4) Notwithstanding any other provision of this sub-
20 section, an individual is not eligible for medical care under
21 this section during the 180-day period specified under sub-
22 section (a)(4) if the individual is entitled to hospital insur-
23 ance benefits under part A of the medicare program dur-
24 ing such period.”.

1 **SEC. 3. EMPLOYMENT AND OTHER BENEFITS FOR CARE-**
2 **GIVERS DESIGNATED AS PRIMARY PRO-**
3 **VIDERS OF PERSONAL CARE SERVICES FOR**
4 **VETERANS.**

5 (a) **EMPLOYMENT ASSISTANCE.**—Section 1720G of
6 title 38, United States Code, is amended by adding at the
7 end the following new subsection:

8 “(e) **EMPLOYMENT ASSISTANCE.**—(1) The Secretary
9 shall provide to an individual designated as a primary pro-
10 vider of personal care services under subsection (a)(7)(A)
11 employment assistance as follows:

12 “(A) Reimbursement of fees associated with
13 certifications or relicensure necessary for such em-
14 ployment.

15 “(B) For purposes of gaining credit for con-
16 tinuing professional education requirements, access
17 to training modules of the Department at no cost.

18 “(C) In consultation with the Secretary of De-
19 fense and the Secretary of Labor, access to employ-
20 ment assistance under—

21 “(i) the Military OneSource program of
22 the Department of Defense;

23 “(ii) the Veterans’ Employment and Train-
24 ing Service of the Department of Labor; and

1 “(iii) such programs of the Department of
2 Veterans Affairs as the Secretary of Veterans
3 Affairs determines appropriate.

4 “(2) An individual described in paragraph (1) shall
5 have access to assistance described in such paragraph—

6 “(A) while participating in the program estab-
7 lished under subsection (a)(1); and

8 “(B) during the 180-day period following the
9 date on which the individual is no longer partici-
10 pating in such program unless the individual was
11 dismissed from the program for fraud, abuse, or
12 mistreatment.

13 “(3) The maximum lifetime amount that may be re-
14 imbursed for an individual under paragraph (1)(A) is
15 \$1,000.”.

16 (b) EXPANSION OF AVAILABLE SERVICES.—Sub-
17 section (a)(3)(A)(ii) of such section is amended—

18 (1) in subclause (V), by striking “; and” and
19 inserting a semicolon;

20 (2) in subclause (VI)—

21 (A) in the matter preceding item (aa), by
22 inserting “or agreements” after “contracts”;

23 (B) in item (aa), by inserting “, including
24 retirement planning services,” after “services”;

25 and

1 (C) in item (bb), by striking the period at
2 the end and inserting “; and”; and

3 (3) by adding at the end the following new sub-
4 clause:

5 “(VI) during the 180-day period following
6 the date on which the family caregiver is no
7 longer participating in the program required by
8 paragraph (1), unless the family caregiver was
9 dismissed from the program for fraud, abuse,
10 or mistreatment, such instruction, preparation,
11 training, and support as the Secretary considers
12 appropriate to assist the family caregiver in
13 transitioning away from caregiving.”.

14 (c) ASSISTANCE RETURNING TO WORKFORCE.—Sub-
15 clause (VI) of such subsection is further amended—

16 (1) in item (aa), by striking “; and” and insert-
17 ing a semicolon;

18 (2) in item (bb), by striking the period at the
19 end and inserting “; and”; and

20 (3) by adding at the end the following new
21 item:

22 “(cc) assistance returning to the
23 workforce upon discharge or dismissal
24 from the program required by paragraph
25 (1) unless the family caregiver was dis-

1 missed from the program for fraud, abuse,
2 or mistreatment.”.

3 (d) BEREAVEMENT COUNSELING AND SUPPORT.—

4 Subsection (a)(3)(A)(i)(III) of such section is amended by
5 inserting before the semicolon the following: “, including
6 bereavement counseling and support following the death
7 of the eligible veteran”.

8 (e) STUDY ON PROVISION OF RETURNSHIP PRO-
9 GRAM.—

10 (1) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, the Sec-
12 retary of Veterans Affairs, in partnership with the
13 Secretary of Labor, shall complete a study on the
14 feasibility and advisability of conducting a
15 returnship program for individuals who are or were
16 designated as a primary provider of personal care
17 services under section 1720G(a)(7)(A) of title 38,
18 United States Code, to assist such individuals in re-
19 turning to the workforce.

20 (2) REPORT.—Not later than 180 days after
21 completion of the study under paragraph (1), the
22 Secretary shall submit to the Committee on Vet-
23 erans’ Affairs of the Senate and the Committee on
24 Veterans’ Affairs of the House of Representatives a
25 report on the study.

1 (f) STUDY ON INCORPORATING FORMER CAREGIVERS
2 INTO WORKFORCE OF DEPARTMENT OF VETERANS AF-
3 FAIRS.—

4 (1) IN GENERAL.—Not later than one year
5 after the date of the enactment of this Act, the Sec-
6 retary of Veterans Affairs shall complete a study on
7 barriers and incentives to hiring individuals who
8 were designated as a primary provider of personal
9 care services under section 1720G(a)(7)(A) of title
10 38, United States Code, at facilities of the Depart-
11 ment of Veterans Affairs to address staffing needs.

12 (2) REPORT.—Not later than 180 days after
13 completion of the study under paragraph (1), the
14 Secretary shall submit to the Committee on Vet-
15 erans' Affairs of the Senate and the Committee on
16 Veterans' Affairs of the House of Representatives a
17 report on the study, which shall include—

18 (A) a plan for increasing employment op-
19 portunities at facilities of the Department for
20 individuals who were designated as a primary
21 provider of personal care services under section
22 1720G(a)(7)(A) of title 38, United States Code;
23 and

1 (B) such recommendations for legislative
2 or administrative action as the Secretary con-
3 siders appropriate.

4 **SEC. 4. COMPTROLLER GENERAL REPORT ON EFFORTS OF**
5 **DEPARTMENT OF VETERANS AFFAIRS IN SUP-**
6 **PORTING FAMILY CAREGIVERS**
7 **TRANSITIONING AWAY FROM CAREGIVING.**

8 Not later than two years after the date of the enact-
9 ment of this Act, the Comptroller General of the United
10 States shall submit to Congress a report assessing the ef-
11 forts of the Department of Veterans Affairs in supporting
12 individuals serving as family caregivers under section
13 1720G(a) of title 38, United States Code, in transitioning
14 away from caregiving, either by assisting those individuals
15 with retirement planning or returning to work.

16 **SEC. 5. REPORT ON FEASIBILITY AND ADVISABILITY OF ES-**
17 **TABLISHING A RETIREMENT PLAN OR RE-**
18 **TIREMENT SAVINGS FOR FAMILY CARE-**
19 **GIVERS OF CERTAIN VETERANS.**

20 Not later than one year after the date of the enact-
21 ment of this Act, the Secretary of Veterans Affairs, in con-
22 sultation with the Secretary of the Treasury and the heads
23 of such other relevant entities as the Secretary of Veterans
24 Affairs determines necessary, shall submit to Congress a
25 report on the feasibility and advisability of, for individuals

1 serving as family caregivers under section 1720G(a) of
2 title 38, United States Code—

3 (1) establishing an individual retirement plan
4 (as defined in section 7701(a)(37) of the Internal
5 Revenue Code of 1986) or similar retirement plan;
6 or

7 (2) permitting such individuals to join an al-
8 ready established pathway to retirement savings.

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