

110TH CONGRESS
1ST SESSION

H. R. 1749

To establish an Ombudsman in the Department of Defense to assist members of the Armed Forces seeking medical care at military medical treatment facilities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2007

Mr. WELCH of Vermont introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To establish an Ombudsman in the Department of Defense to assist members of the Armed Forces seeking medical care at military medical treatment facilities.

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’ Care Advo-
5 cate Act”.

6 **SEC. 2. OMBUDSMEN FOR RECOVERING SERVICEMEMBERS.**

7 (a) OMBUDSMEN FOR RECOVERING
8 SERVICEMEMBERS.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall establish within each military medical treat-
3 ment facility of the Department of Defense the posi-
4 tion of Ombudsman for Recovering Servicemembers
5 (in this subsection referred to as the “Ombudsman”
6 or “Ombudsmen”).

7 (2) ASSIGNMENT.—The Secretary shall assign
8 to each position established under paragraph (1) a
9 member of the Armed Forces or civilian employee of
10 the Department of Defense who is qualified to dis-
11 charge the duties of the position.

12 (3) DUTIES.—Each Ombudsman shall act as a
13 liaison for recovering servicemembers and their fam-
14 ily members with respect to the evaluation and care
15 of recovering servicemembers under the physical dis-
16 ability evaluation systems. The duties of the Om-
17 budsmen shall include, at a minimum, the following:

18 (A) Helping servicemembers and their
19 family members complete paperwork.

20 (B) Helping servicemembers and their
21 family members understand administrative
22 guidelines.

23 (C) Providing information to
24 servicemembers and their family members about
25 available benefits.

1 (D) Making recommendations to
2 servicemembers and their family members.

3 (E) Providing such other advice and help
4 to servicemembers and their family members as
5 the Ombudsman considers appropriate.

6 (4) OUTREACH.—The Secretary shall make
7 available to each recovering servicemember, and to
8 the family members of all recovering
9 servicemembers, information on contacting and uti-
10 lizing the services of the Ombudsmen.

11 (b) DEFINITIONS.—In this section;

12 (1) RECOVERING SERVICEMEMBER.—The term
13 “recovering servicemember” means a member of the
14 Armed Forces, including a member of the National
15 Guard or a Reserve, who is undergoing medical
16 treatment, recuperation, or therapy, or is otherwise
17 in medical hold or holdover status, for an injury, ill-
18 ness, or disease incurred or aggravated while on ac-
19 tive duty in the Armed Forces.

20 (2) FAMILY MEMBER.—The term “family mem-
21 ber”, with respect to a recovering servicemember,
22 has the meaning given that term in section 411h(b)
23 of title 37, United States Code.

1 (3) PHYSICAL DISABILITY EVALUATION SYS-
 2 TEMS.—The term “physical disability evaluation sys-
 3 tems” means the following:

4 (A) In the case of the Department of the
 5 Army, the Physical Disability Evaluation Sys-
 6 tem (PDES) of the Army.

7 (B) In the case of any other military de-
 8 partment, the physical disability evaluation sys-
 9 tem or similar system or process of such mili-
 10 tary departments that carries out functions
 11 equivalent to the function carried out for the
 12 Army by the Physical Disability Evaluation
 13 System of the Army.

14 **SEC. 3. PROGRESS REPORTS ON IMPLEMENTATION OF OM-**
 15 **BUDSMEN PROGRAM.**

16 (a) ONGOING REPORT REQUIREMENT.—Not later
 17 than 6 months after the date of the enactment of this Act,
 18 and every 6 months thereafter, the Secretary of Defense
 19 shall submit to the committees listed in subsection (c) a
 20 report on progress in the implementation of section 2.

21 (b) MATTERS COVERED.—The report shall address
 22 the following matters;

23 (1) A description of the number and location of
 24 Ombudsman positions established.

1 (2) A description of the services being provided
2 by the Ombudsmen.

3 (3) An analysis of the effectiveness of the serv-
4 ices being provided, including the timeliness of the
5 services.

6 (4) The adequacy of Federal resources to pro-
7 vide the services and other actual or potential bar-
8 riers to provision of the services.

9 (5) Any actual and potential conflicts of inter-
10 est in the administration and operation of the Om-
11 budsmen program.

12 (6) Any other matters the Secretary considers
13 appropriate.

14 (c) COMMITTEES.—The committees listed in this sub-
15 section are the following:

16 (1) The Committee on Homeland Security and
17 Governmental Affairs of the Senate.

18 (2) The Committee on Oversight and Govern-
19 ment Reform of the House of Representatives.

20 (3) The Committees on Armed Services of the
21 Senate and the House of Representatives.

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