

111TH CONGRESS
1ST SESSION

S. 1798

To provide for the automatic enrollment of demobilizing members of the National Guard and Reserve in health care and dental care programs of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2009

Mr. SANDERS introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To provide for the automatic enrollment of demobilizing members of the National Guard and Reserve in health care and dental care programs of the Department of Veterans Affairs, 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 “Automatic Reserve
5 Component Enrollment Act of 2009”.

1 **SEC. 2. AUTOMATIC ENROLLMENT OF DEMOBILIZING MEM-**
2 **BERS OF THE NATIONAL GUARD AND RE-**
3 **SERVE IN HEALTH CARE AND DENTAL CARE**
4 **PROGRAMS OF THE DEPARTMENT OF VET-**
5 **ERANS AFFAIRS.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of Defense
8 and the Secretary of Veterans Affairs shall jointly take
9 appropriate actions to provide for the automatic enroll-
10 ment of members of the National Guard and Reserve who
11 are being discharged or released from active duty in the
12 Armed Forces in the health care and dental care programs
13 for veterans of the Department of Veterans Affairs during
14 the participation of such members in the demobilization
15 and discharge process used for members of the Reserve
16 components of the Armed Forces.

17 (b) ENROLLMENT.—

18 (1) PROTECTION OF PRIVACY.—Any enrollment
19 activities required of members under subsection (a)
20 shall provide appropriate protections for the privacy
21 of such members and their personal information in
22 accordance with applicable requirements of law.

23 (2) ASSISTANCE.—

24 (A) IN GENERAL.—In providing for the en-
25 rollment of members as described in subsection
26 (a), the Secretary of Veterans Affairs shall pro-

1 vide members assistance in the completion of
2 any enrollment activities required under such
3 subsection. Such assistance shall be provided
4 during the demobilization and discharge process
5 of such members utilizing such personnel of the
6 Department of Veterans Affairs, including per-
7 sonnel of the Veterans Health Administration
8 and the Veterans Benefits Administration, as
9 the Secretary shall assign for such purposes.

10 (B) EDUCATION AND OUTREACH.—When
11 providing assistance under subparagraph (A) to
12 members described in subsection (a), the per-
13 sonnel of the Department providing such assist-
14 ance shall also provide information to such
15 members about the programs, benefits, and
16 services of the Department for which they may
17 be eligible, including how such members can
18 apply for and access such programs, benefits,
19 and services.

20 (3) FACILITIES AND OTHER RESOURCES.—The
21 Secretary of Defense shall ensure that the facilities
22 and other resources (including space and computer
23 facilities) for the demobilization and discharge proc-
24 ess used for members of Reserve components of the
25 Armed Forces include adequate facilities and re-

1 sources for the performance by members of any en-
2 rollment activities required under subsection (a) and
3 any assistance in the performance of such activities
4 under paragraph (2).

5 (c) CONSTRUCTION.—Nothing in this section shall be
6 construed to require a member of a Reserve component
7 of the Armed Forces to participate in any health care or
8 dental care program or use any service of the Department
9 of Veterans Affairs.

10 (d) REPORTS.—

11 (1) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act and each
13 year thereafter for five years, the Secretary of De-
14 fense and the Secretary of Veterans Affairs shall
15 jointly submit a report on the implementation of the
16 requirements of this section to—

17 (A) the Committee on Veterans' Affairs
18 and the Committee on Appropriations of the
19 Senate; and

20 (B) the Committee on Veterans' Affairs
21 and the Committee on Appropriations of the
22 House of Representatives.

23 (2) CONTENTS.—The report required by para-
24 graph (1) shall include the following:

1 (A) A description of the activities under-
2 taken by the Secretary of Defense and the Sec-
3 retary of Veterans Affairs to carry out the re-
4 quirements of this section.

5 (B) An assessment of the effect of such ac-
6 tivities on—

7 (i) the enrollment of members of the
8 Reserve components of the Armed Forces
9 in health care and dental care programs
10 for veterans of the Department of Veterans
11 Affairs; and

12 (ii) the participation of such members
13 in such programs.

14 (C) An assessment of the potential budg-
15 etary impact and demand for services that ac-
16 tions taken under subsection (a) may have on
17 the Department of Veterans Affairs and any
18 need for additional staff or resources to meet
19 that demand.

20 (D) Such recommendations for legislative
21 or administrative action as the Secretary of De-
22 fense and the Secretary of Veterans Affairs
23 jointly consider appropriate in order to improve
24 or enhance the requirements of this section so
25 as to further facilitate the enrollment of mem-

1 bers of the Reserve components of the Armed
2 Forces in health care and dental care programs
3 for veterans of the Department of Veterans Af-
4 fairs.

5 (E) Such other matters with respect to the
6 requirements of this section as Secretary of De-
7 fense and the Secretary of Veterans Affairs
8 jointly consider appropriate.

9 (e) ENROLLMENT DEFINED.—In this section, the
10 term “enrollment” means, with respect to enrolling a
11 member of a Reserve component of the Armed Forces in
12 a health care or dental care program for veterans of the
13 Department of Veterans Affairs, collecting and recording
14 appropriate information about such member in the record
15 keeping system of the Department of Veterans Affairs to
16 facilitate participation of such member in such program
17 if such member elects such participation and is eligible for
18 such participation.

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