

113TH CONGRESS
1ST SESSION

H. R. 1980

To amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from requesting additional medical examinations of veterans who have submitted sufficient medical evidence provided by non-Department medical professionals and to improve the efficiency of processing certain claims for disability compensation by veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2013

Mr. WALZ (for himself, Mr. DENHAM, Mr. JONES, Ms. FRANKEL of Florida, Mr. BARBER, Ms. ESTY, Ms. KUSTER, and Mr. O'ROURKE) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from requesting additional medical examinations of veterans who have submitted sufficient medical evidence provided by non-Department medical professionals and to improve the efficiency of processing certain claims for disability compensation by 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Quicker Veterans Ben-
3 efits Delivery Act”.

4 **SEC. 2. TREATMENT OF MEDICAL EVIDENCE PROVIDED BY**
5 **NON-DEPARTMENT OF VETERANS AFFAIRS**
6 **MEDICAL PROFESSIONALS IN SUPPORT OF**
7 **CLAIMS DISABILITY COMPENSATION.**

8 (a) IN GENERAL.—Section 5103A(d) of title 38,
9 United States Code, is amended by adding at the end the
10 following new paragraph:

11 “(3) During the six-year period beginning on the date
12 of the enactment of this paragraph, the Secretary may not
13 request a medical examination under paragraph (1) in the
14 case of a claim for disability compensation in support of
15 which a claimant submits medical evidence provided by a
16 non-Department medical professional, including a non-De-
17 partment medical opinion, that is competent, credible, pro-
18 bative, and otherwise adequate for purposes of making a
19 decision on the claim.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall apply with respect to medical evidence
22 submitted after the date that is 90 days after the date
23 of the enactment of this Act.

1 **SEC. 3. IMPROVEMENT OF DISABILITY CLAIMS PROC-**
2 **ESSING.**

3 (a) PRESTABILIZATION RATES.—Section 1156 of
4 title 38, United States Code, is amended—

5 (1) by redesignating subsections (c) and (d) as
6 subsections (e) and (f), respectively; and

7 (2) by inserting after subsection (b) the fol-
8 lowing new subsection (c):

9 “(c) PRESTABILIZATION RATES.—During the six-
10 year period beginning on the date of the enactment of this
11 subsection, in assigning to a veteran a prestabilization rat-
12 ing pursuant to section 4.28 of title 38, Code of Federal
13 Regulations, (or successor regulation), the Secretary shall
14 assign such a rating at the level of total, 50 percent, or
15 30 percent, as determined appropriate by the Secretary.”.

16 (b) TEMPORARY MINIMUM RATES.—Section 1156 of
17 title 38, United States Code, is further amended by insert-
18 ing after subsection (c), as added by subsection (a), the
19 following new subsection (d):

20 “(d) TEMPORARY MINIMUM RATES.—During the six-
21 year period beginning on the date of the enactment of this
22 subsection, the Secretary shall assign a temporary min-
23 imum disability rating to a veteran who—

24 “(1) has one or more disabilities not covered
25 under subsection (a); and

1 “(2) submits a claim for such disability that
2 has sufficient evidence to support a minimum dis-
3 ability rating.”.

4 (c) REPORTING OF CLAIMS BACKLOG.—During the
5 six-year period beginning on the date of the enactment of
6 this Act, the Secretary of Veterans Affairs shall not in-
7 clude any veteran to whom the Secretary has assigned a
8 pre-stabilization rating under subsection (c) of section
9 1156 of such title, as added by subsection (a), or a tem-
10 porary minimum disability rating under subsection (d) of
11 such section, as added by subsection (b), in any count of
12 the backlog of disability ratings to be assigned by the Sec-
13 retary.

14 (d) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on the date that is 90 days
16 after the date of the enactment of this Act and shall apply
17 with respect to claims for disability compensation filed on
18 or after that date.

19 **SEC. 4. TIMING OF MONTHLY PAYMENTS OF BENEFITS**
20 **UNDER THE LAWS ADMINISTERED BY THE**
21 **SECRETARY OF VETERANS AFFAIRS.**

22 (a) IN GENERAL.—Section 5120(e) of title 38,
23 United States Code, is amended—

24 (1) by striking “Whenever” and inserting “(1)
25 Whenever”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(2) During the six-year period beginning on the date
4 of the enactment of this paragraph, the Secretary shall
5 certify benefit payments for any calendar month in such
6 a way that such payments will be delivered by mail, or
7 transmitted for credit to the payee’s account pursuant to
8 subsection (d) of this section, before the first day of the
9 calendar month for which such payments are issued.”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) shall apply with respect to a calendar month
12 that begins after the date that is 90 days after the date
13 of the enactment of this Act.

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