

113TH CONGRESS
2D SESSION

H. R. 4037

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to training and rehabilitation for veterans with service-connected disabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2014

Mr. FLORES introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to training and rehabilitation for veterans with service-connected disabilities, 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 “Improving Veterans’
5 Access to Vocational Rehabilitation and Employment Act
6 of 2014”.

1 **SEC. 2. CALCULATION OF RATE OF VETERANS REHABILI-**
2 **TATED TO THE POINT OF EMPLOYABILITY.**

3 (a) IN GENERAL.—Chapter 31 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 3123. Calculation of rate of veterans rehabilitated**
7 **to the point of employability**

8 “To calculate the rate of veterans whom the Sec-
9 retary determines are rehabilitated to the point of employ-
10 ability under this chapter during a fiscal year, the Sec-
11 retary shall divide—

12 “(1) the number of veterans who participated in
13 vocational rehabilitation programs under this chap-
14 ter during such fiscal year whom the Secretary de-
15 termines to have been rehabilitated to the point of
16 employability; by

17 “(2) the sum of—

18 “(A) the number of veterans who partici-
19 pated in such programs during such fiscal year
20 (regardless of whether such a veteran first par-
21 ticipated in such programs during a previous
22 fiscal year); and

23 “(B) the number of veterans who were en-
24 titled to participate in such programs during
25 such fiscal year but did not complete a pro-
26 gram.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of such chapter is amended by adding
 3 after the item relating to section 3122 the following new
 4 item:

“3123. Calculation of rate of veterans rehabilitated to the point of employ-
 ability.”.

5 **SEC. 3. APPROVAL OF COURSES OF EDUCATION AND**
 6 **TRAINING FOR PURPOSES OF THE VOCA-**
 7 **TIONAL REHABILITATION PROGRAM OF THE**
 8 **DEPARTMENT OF VETERANS AFFAIRS.**

9 (a) IN GENERAL.—Section 3104(b) of title 38,
 10 United States Code, is amended by adding at the end the
 11 following new sentence: “To the maximum extent prac-
 12 ticable, a course of education or training may be pursued
 13 by a veteran as part of a rehabilitation program under
 14 this chapter only if the course is approved for purposes
 15 of chapter 30 or 33 of this title. The Secretary may waive
 16 the requirement under the preceding sentence to the ex-
 17 tent the Secretary determines appropriate.”.

18 (b) EFFECTIVE DATE.—The amendment made by
 19 subsection (a) shall apply with respect to a course of edu-
 20 cation or training pursued by a veteran who first begins
 21 a program of rehabilitation under chapter 31 of title 38,
 22 United States Code, on or after the date that is one year
 23 after the date of the enactment of this Act.

1 **SEC. 4. ELIGIBILITY OF CERTAIN VETERANS ENROLLED IN**
2 **VOCATIONAL REHABILITATION PROGRAMS**
3 **FOR SPECIALLY ADAPTED HOUSING PRO-**
4 **VIDED BY THE SECRETARY OF VETERANS AF-**
5 **FAIRS.**

6 Section 2101(b)(2) of title 38, United States Code,
7 is amended by adding at the end the following new sub-
8 paragraph:

9 “(D) The disability is a disability for which the
10 veteran is eligible for a rehabilitation program under
11 chapter 31 of this title and is referred for assistance
12 under this section pursuant to section 2107 of this
13 title.”.

14 **SEC. 5. AUTHORITY TO PRIORITIZE VOCATIONAL REHA-**
15 **BILITATION SERVICES BASED ON NEED.**

16 Section 3104 of title 38, United States Code, as
17 amended by section 3, is further amended by adding at
18 the end the following new subsection:

19 “(c)(1) The Secretary shall have the authority to ad-
20 minister this chapter by prioritizing the provision of serv-
21 ices under this chapter based on need, as determined by
22 the Secretary. In evaluating need for purposes of this sub-
23 section, the Secretary shall consider disability ratings, the
24 severity of employment handicaps, qualification for a pro-
25 gram of independent living, income, and any other factor
26 the Secretary determines appropriate.

1 “(2) Not later than 90 days before making any
2 changes to the prioritization of the provision of services
3 under this chapter as authorized under paragraph (1), the
4 Secretary shall submit to Congress a plan describing such
5 changes.”.

6 **SEC. 6. MODIFICATION OF DEFINITION OF “SERIOUS EM-**
7 **PLOYMENT HANDICAP”.**

8 Paragraph (7) of section 3101 of title 38, United
9 States Code, is amended to read as follows:

10 “(7) The term ‘serious employment handicap’
11 means a significant impairment, resulting from the
12 service-connected disability, that is directly related
13 to the veteran’s ability to prepare for, obtain, or re-
14 tain employment consistent with such veteran’s abili-
15 ties, aptitudes, and interests.”.

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