

113TH CONGRESS
2D SESSION

H. R. 5022

To amend title 38, United States Code, to improve dental health care for veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2014

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

A BILL

To amend title 38, United States Code, to improve dental health care for 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 “Enhanced Dental Care
5 for Veterans Act of 2014”.

6 **SEC. 2. RESTORATIVE DENTAL SERVICES FOR VETERANS.**

7 Section 1710(c) of title 38, United States Code, is
8 amended—

9 (1) in the second sentence—

1 (A) by redesignating subparagraphs (A)
2 and (B) as clauses (i) and (ii), respectively; and
3 (B) by redesignating paragraphs (1) and
4 (2) as subparagraphs (A) and (B), respectively;
5 (2) by inserting “(1)” after “(c)”;
6 (3) by striking “The Secretary” and inserting
7 the following:

8 “(2) The Secretary”; and

9 (4) by adding at the end the following new
10 paragraph:

11 “(3) In addition to the dental services, treatment,
12 and appliances authorized to be furnished by paragraph
13 (2), the Secretary may furnish dental services and treat-
14 ment, and dental appliances, needed to restore functioning
15 in a veteran that is lost as a result of any services or treat-
16 ment furnished under this subsection.”.

17 **SEC. 3. PILOT PROGRAM ON EXPANSION OF FURNISHING**
18 **OF DENTAL CARE TO ALL ENROLLED VET-**
19 **ERANS.**

20 (a) **PILOT PROGRAM REQUIRED.**—Commencing not
21 later than 180 days after the date of the enactment of
22 this Act, the Secretary of Veterans Affairs shall carry out
23 a pilot program to assess the feasibility and advisability
24 of furnishing dental care to veterans enrolled in the system
25 of patient enrollment under section 1705 of title 38,

1 United States Code, who are not eligible for dental serv-
2 ices and treatment, and related dental appliances, under
3 current authorities.

4 (b) DURATION OF PILOT PROGRAM.—The pilot pro-
5 gram shall be carried out during the three-year period be-
6 ginning on the date of the commencement of the pilot pro-
7 gram.

8 (c) LOCATIONS.—

9 (1) IN GENERAL.—The Secretary shall carry
10 out the pilot program at not fewer than 16 locations
11 as follows:

12 (A) Four Department of Veterans Affairs
13 medical centers with an established dental clin-
14 ic.

15 (B) Four Department medical centers with
16 a current contract for the furnishing of dental
17 care.

18 (C) Four Community-Based Outpatient
19 Clinics (CBOCs) with space available for the
20 furnishing of services and treatment under the
21 pilot program.

22 (D) Four facilities selected from among
23 Federally Qualified Health Centers (FQHCs)
24 and Indian Health Service facilities with estab-
25 lished dental clinics, of which—

1 (i) at least one facility shall be such
2 an Indian Health Service facility; and

3 (ii) any Indian Health Service facility
4 so selected shall be selected in consultation
5 with the Secretary of Health and Human
6 Services.

7 (2) CONSIDERATIONS.—In selecting locations
8 for the pilot program, the Secretary shall consider
9 the feasibility and advisability of selecting locations
10 in each of the following:

11 (A) Rural areas.

12 (B) Areas that are not in close proximity
13 to an active duty military installation.

14 (C) Areas representing different geo-
15 graphic locations, such as census tracts estab-
16 lished by the Bureau of Census.

17 (d) SCOPE OF SERVICES.—The dental services and
18 treatment furnished to veterans under the pilot program
19 shall be consistent with the dental services and treatment
20 furnished by the Secretary to veterans with service-con-
21 nected disabilities rated 100 percent disabling under the
22 laws administered by the Secretary.

23 (e) VOLUNTARY PARTICIPATION.—The participation
24 of a veteran in the pilot program shall be at the election
25 of the veteran.

1 (f) LIMITATION ON AMOUNT OF SERVICES.—

2 (1) IN GENERAL.—Except as provided in para-
3 graph (3), the total amount the Secretary may ex-
4 pend furnishing dental services and treatment to any
5 veteran participating in the pilot program during
6 any one-year period may not exceed such amount as
7 the Secretary determines appropriate. The amount
8 so determined may not be less than \$1,000.

9 (2) CONSULTATION.—The Secretary shall make
10 the determination under paragraph (1)—

11 (A) in consultation with the Director of the
12 Indian Health Service; and

13 (B) in consultation with the Director of
14 the Centers for Medicare and Medicaid Services
15 if one or more Federally Qualified Health Cen-
16 ters is selected as a location for the pilot pro-
17 gram under subsection (c)(1)(D).

18 (3) SERVICES IN EXCESS OF LIMITATION
19 AMOUNT.—The total amount expended by the Sec-
20 retary in furnishing dental services and treatment to
21 a particular veteran participating in the pilot pro-
22 gram during a one-year period may exceed the
23 amount determined under paragraph (1) if the Sec-
24 retary determines, before furnishing such services
25 and treatment, based on an examination of the vet-

1 eran by a dentist participating in the pilot program
2 that the furnishing of such services and treatment is
3 necessary. Any determination under this paragraph
4 shall be made on a case-by-case basis.

5 (g) COPAYMENTS.—The Secretary may collect copay-
6 ments for dental services and treatment furnished under
7 the pilot program in accordance with authorities on the
8 collection of copayments for medical care of veterans
9 under chapter 17 of title 38, United States Code.

10 (h) PROGRAM ADMINISTRATION.—

11 (1) NOTICE TO COVERED VETERANS ON PILOT
12 PROGRAM.—In carrying out the pilot program, the
13 Secretary shall inform all veterans eligible to partici-
14 pate in the pilot program of the services and treat-
15 ment available under the pilot program.

16 (2) CONTRACTS.—In carrying out the pilot pro-
17 gram, the Secretary may enter into contracts with
18 appropriate entities for the provision of dental serv-
19 ices and treatment under the pilot program. Each
20 such contract shall specify performance standards
21 and metrics and processes for ensuring compliance
22 of the contractor concerned with such performance
23 standards.

24 (i) REPORTS.—

25 (1) PRELIMINARY REPORTS.—

1 (A) IN GENERAL.—Not later than each of
2 one year and three years after the date of the
3 commencement of the pilot program, the Sec-
4 retary shall submit to the Committee on Vet-
5 erans' Affairs of the Senate and the Committee
6 on Veterans' Affairs of the House of Represent-
7 atives a report on the pilot program.

8 (B) CONTENTS.—Each report under sub-
9 paragraph (A) shall include the following:

10 (i) A description of the implementa-
11 tion and operation of the pilot program.

12 (ii) The number of veterans receiving
13 services and treatment under the pilot pro-
14 gram, and a description of the dental serv-
15 ices and treatment furnished to such vet-
16 erans.

17 (iii) An analysis of the costs and bene-
18 fits of the pilot program, including a com-
19 parison of costs and benefits by location
20 type.

21 (iv) The current findings and conclu-
22 sions of the Secretary with respect to the
23 pilot program.

24 (v) Such recommendations for the
25 continuation or expansion of the pilot pro-

1 gram as the Secretary considers appro-
2 priate.

3 (2) FINAL REPORT.—

4 (A) IN GENERAL.—Not later than 180
5 days after the completion of the pilot program,
6 the Secretary shall submit to the Committee on
7 Veterans' Affairs of the Senate and the Com-
8 mittee on Veterans' Affairs of the House of
9 Representatives a report on the pilot program.

10 (B) CONTENTS.—The report under sub-
11 paragraph (A) shall include the following:

12 (i) The findings and conclusions of
13 the Secretary with respect to the pilot pro-
14 gram.

15 (ii) Such recommendations for the
16 continuation or expansion of the pilot pro-
17 gram as the Secretary considers appro-
18 priate.

19 **SEC. 4. PROGRAM ON EDUCATION TO PROMOTE DENTAL**
20 **HEALTH IN VETERANS.**

21 (a) PROGRAM REQUIRED.—

22 (1) IN GENERAL.—The Secretary of Veterans
23 Affairs shall carry out a program of education to
24 promote dental health for veterans who are enrolled
25 in the system of patient enrollment of the Depart-

1 ment of Veterans Affairs under section 1705 of title
2 38, United States Code.

3 (2) CONSTRUCTION.—Nothing in the program
4 shall be deemed to alter or revise the eligibility of
5 any veteran for dental care under the laws adminis-
6 tered by the Secretary.

7 (b) ELEMENTS.—The program required by sub-
8 section (a) shall provide education for veterans on the fol-
9 lowing:

10 (1) The association between dental health and
11 overall health and well-being.

12 (2) Proper techniques for dental care.

13 (3) Signs and symptoms of commonly occurring
14 dental issues, including caries.

15 (4) Treatment options for commonly occurring
16 dental issues.

17 (5) Options for obtaining access to dental care,
18 including information on eligibility for dental care
19 through the Department and on purchasing private
20 dental insurance.

21 (6) Options for obtaining low or no-cost dental
22 care, including through dental schools and Federally
23 Qualified Health Centers.

24 (7) Such other matters relating to dental health
25 as the Secretary considers appropriate.

1 (c) DELIVERY OF EDUCATIONAL MATERIALS.—

2 (1) IN GENERAL.—The Secretary shall provide
3 educational materials to veterans under the program
4 required by subsection (a) through a variety of
5 mechanisms, including the following:

6 (A) The availability and distribution of
7 print materials at Department facilities, includ-
8 ing medical centers, clinics, Vet Centers, and
9 readjustment counseling centers.

10 (B) The availability and distribution of
11 materials over the Internet, including through
12 webinars and My HealtheVet.

13 (C) Presentations of information, including
14 both small group and large group presentations.

15 (2) SELECTION OF MECHANISMS.—In selecting
16 mechanisms for purposes of this subsection, the Sec-
17 retary shall select mechanisms designed to maximize
18 the number of veterans who receive education under
19 the program.

20 **SEC. 5. INFORMATION ON DENTAL SERVICES FOR INCLU-**
21 **SION IN ELECTRONIC MEDICAL RECORDS**
22 **UNDER DENTAL INSURANCE PILOT PRO-**
23 **GRAM.**

24 (a) IN GENERAL.—Commencing not later than 180
25 days after the date of the enactment of this Act, the Sec-

1 retary of Veterans Affairs shall expand the dental insur-
2 ance pilot program established by section 17.169 of title
3 38, Code of Federal Regulations, to establish a mechanism
4 by which private sector dental care providers may forward
5 to the Department of Veterans Affairs information on
6 dental care furnished to individuals under the pilot pro-
7 gram for inclusion in the electronic medical records of the
8 Department with respect to such individuals.

9 (b) CONSTRUCTION WITH CURRENT PILOT PROGRAM
10 REQUIREMENTS.—

11 (1) IN GENERAL.—Nothing in this section shall
12 be construed to revise eligibility for participation in,
13 or the locations of, the pilot program referred to in
14 subsection (a).

15 (2) DURATION.—The Secretary may continue
16 the pilot program for two years in addition to the
17 duration otherwise provided for the pilot program in
18 section 17.169 of title 38, Code of Federal Regula-
19 tions, if the Secretary determines that the continu-
20 ation is needed to assess the mechanism required by
21 subsection (a).

22 (3) VOLUNTARY PARTICIPATION IN MECHA-
23 NISM.—The participation in the mechanism required
24 by subsection (a) of an individual otherwise partici-

1 pating in the pilot program shall be at the election
2 of the individual.

3 (c) INCLUSION OF INFORMATION ON MECHANISM IN
4 REPORTS.—Each report to Congress on the pilot program
5 after the date of the commencement of the mechanism re-
6 quired by subsection (a) shall include information on the
7 mechanism, including a current assessment of the feasi-
8 bility and advisability of using the mechanism to include
9 information on dental care furnished to individuals in the
10 electronic medical records of the Department with respect
11 to such individuals.

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