

113TH CONGRESS
2D SESSION

S. 2091

To amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2014

Mr. HELLER (for himself, Mr. CASEY, Mr. MORAN, Mr. HEINRICH, Mr. VITTER, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “21st Century Veterans Benefits Delivery Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—BENEFITS CLAIMS SUBMISSION

- Sec. 101. Modification of Transition Assistance Program to enable online participation.
- Sec. 102. Requirement to encourage claimants to use appropriate forms.
- Sec. 103. Required communications to users of eBenefits Internet website.
- Sec. 104. Extension of authority for retroactive date of awards for filing fully developed claims.
- Sec. 105. Requirement that decisions on claims explain benefits of filing appeals within 180 days.
- Sec. 106. Requirement to use Department of Veterans Affairs form 21–0958 in regional offices for filing of notices of disagreement.
- Sec. 107. Determination of manner of appearance for hearings before Board of Veterans’ Appeals.

TITLE II—PRACTICES OF REGIONAL OFFICES

- Sec. 201. Required Comptroller General audit of regional offices of Veterans Benefits Administration.
- Sec. 202. Study on service-connected disabilities that worsen with age.
- Sec. 203. Improvements to authority for performance of medical disabilities examinations by contract physician.
- Sec. 204. Improvement of mail processing by Department of Veterans Affairs.
- Sec. 205. Review of practices of regional offices regarding use of suspense dates.
- Sec. 206. Semiannual reports on progress in implementing Veterans Benefits Management System.
- Sec. 207. Annual report on capacity of Veterans Benefits Administration to process benefits claims.
- Sec. 208. Increased transparency in Monday Morning Workload Report.
- Sec. 209. Reports on appeals of decisions on benefits claims.

TITLE III—GOVERNMENT RESPONSE

- Sec. 301. Increased cooperation across Government.
- Sec. 302. Report on interoperability between electronic health records systems of Department of Defense and Department of Veterans Affairs.

1 **TITLE I—BENEFITS CLAIMS**
2 **SUBMISSION**

3 **SEC. 101. MODIFICATION OF TRANSITION ASSISTANCE PRO-**
4 **GRAM TO ENABLE ONLINE PARTICIPATION.**

5 Section 1144 of title 10, United States Code, is
6 amended by adding at the end the following new sub-
7 section:

8 “(f) **ONLINE CURRICULUM.**—(1) The Secretary of
9 Labor, in conjunction with the Secretary of Defense, the

1 Secretary of Homeland Security, and the Secretary of Vet-
 2 erans Affairs, shall take such actions and make such modi-
 3 fications to the eBenefits Internet website as may be nec-
 4 essary to ensure that members of the armed forces and
 5 spouses described in subsection (a)(1) can participate in
 6 the program carried out under this section through such
 7 Internet website.

8 “(2) An individual subject to a requirement under
 9 subsection (c) may not satisfy such requirement by partici-
 10 pating in the program carried out under this section solely
 11 through an Internet website.”.

12 **SEC. 102. REQUIREMENT TO ENCOURAGE CLAIMANTS TO**
 13 **USE APPROPRIATE FORMS.**

14 The Secretary of Veterans Affairs shall encourage
 15 each individual who is seeking to file a claim with the Sec-
 16 retary for a benefit under a law administered by the Sec-
 17 retary to file such claim using an appropriate form estab-
 18 lished by the Secretary for such purpose.

19 **SEC. 103. REQUIRED COMMUNICATIONS TO USERS OF**
 20 **EBENEFITS INTERNET WEBSITE.**

21 (a) **AUTOMATED NOTIFICATION OF RESOURCES.—**
 22 The Secretary of Veterans Affairs shall take such meas-
 23 ures as may be necessary so that whenever an individual
 24 establishes an account on the eBenefits Internet website
 25 of the Department of Veterans Affairs and Department

1 of Defense an e-mail is sent to the individual that includes
2 a description of the following:

3 (1) The benefits of filing a fully developed
4 claim.

5 (2) Where the individual can go to obtain as-
6 sistance in filing a fully developed claim, including
7 the following:

8 (A) The Department of Veterans Affairs.

9 (B) An organization recognized by the Sec-
10 retary for the representation of veterans under
11 section 5902 of title 38, United States Code.

12 (b) ALTERNATE COMMUNICATION.—Whenever the
13 Secretary sends a message to an individual through the
14 eBenefits Internet website described in subsection (a), the
15 Secretary shall also send such message to the individual
16 through the use of a second medium selected by the indi-
17 vidual, such as by telephone or by sending an e-mail to
18 a private e-mail address of the individual.

19 **SEC. 104. EXTENSION OF AUTHORITY FOR RETROACTIVE**
20 **DATE OF AWARDS FOR FILING FULLY DEVEL-**
21 **OPED CLAIMS.**

22 Section 5110(b)(2)(C) of title 38, United States
23 Code, is amended by striking “the date that is three years
24 after the date of the enactment of such Act” and inserting
25 “September 30, 2020”.

1 **SEC. 105. REQUIREMENT THAT DECISIONS ON CLAIMS EX-**
2 **PLAIN BENEFITS OF FILING APPEALS WITHIN**
3 **180 DAYS.**

4 Section 5104(a) of title 38, United States Code, is
5 amended—

6 (1) by inserting “(1)” before “In the case”; and

7 (2) by striking the second sentence and insert-
8 ing the following new paragraph:

9 “(2) The notice shall include the following:

10 “(A) An explanation of the procedure for ob-
11 taining review of the decision.

12 “(B) An explanation of the benefits of filing for
13 review of the decision within 180 days.”.

14 **SEC. 106. REQUIREMENT TO USE DEPARTMENT OF VET-**
15 **ERANS AFFAIRS FORM 21-0958 IN REGIONAL**
16 **OFFICES FOR FILING OF NOTICES OF DIS-**
17 **AGREEMENT.**

18 The Secretary of Veterans Affairs shall use Depart-
19 ment of Veterans Affairs form 21-0958, or such other
20 form as the Secretary may require, in each of the regional
21 offices of the Department for purposes of filing notices
22 of disagreement under section 7105(b) of title 38, United
23 States Code.

1 **SEC. 107. DETERMINATION OF MANNER OF APPEARANCE**
 2 **FOR HEARINGS BEFORE BOARD OF VET-**
 3 **ERANS' APPEALS.**

4 (a) IN GENERAL.—Section 7107 of title 38, United
 5 States Code, is amended—

6 (1) by striking subsection (e);

7 (2) by redesignating subsections (d) and (f) as
 8 subsections (f) and (g), respectively;

9 (3) by inserting after subsection (c) the fol-
 10 lowing new subsections (d) and (e):

11 “(d)(1) Subject to paragraph (2), a hearing before
 12 the Board shall be conducted, as the Board considers ap-
 13 propriate—

14 “(A) in person; or

15 “(B) through picture and voice transmission, by
 16 electronic or other means, in such manner that the
 17 appellant is not present in the same location as the
 18 members of the Board during the hearing.

19 “(2) Upon request by an appellant, a hearing before
 20 the Board shall be conducted, as the appellant considers
 21 appropriate—

22 “(A) in person; or

23 “(B) through picture and voice transmission as
 24 described in paragraph (1)(B).

25 “(e)(1) In a case in which a hearing before the Board
 26 is to be conducted through picture and voice transmission

1 as described in subsection (d)(1)(B), the Secretary shall
2 provide suitable facilities and equipment to the Board or
3 other components of the Department to enable an appel-
4 lant located at an appropriate facility within the area
5 served by a regional office to participate as so described.

6 “(2) Any hearing conducted through picture and
7 voice transmission as described in subsection (d)(1)(B)
8 shall be conducted in the same manner as, and shall be
9 considered the equivalent of, a personal hearing.”; and

10 (4) in subsection (f)(1), as redesignated by
11 paragraph (2), by striking “An appellant may re-
12 quest” and all that follows through “office of the
13 Department” and inserting “In a case in which a
14 hearing before the Board is to be conducted in per-
15 son, the hearing shall be held at the principal loca-
16 tion of the Board or at a facility of the Department
17 located within the area served by a regional office of
18 the Department.”.

19 (b) EFFECTIVE DATE.—The amendment made by
20 subsection (a) shall apply with respect to cases received
21 by the Board of Veterans’ Appeals pursuant to notices of
22 disagreement submitted on or after the date of the enact-
23 ment of this Act.

TITLE II—PRACTICES OF REGIONAL OFFICES

SEC. 201. REQUIRED COMPTROLLER GENERAL AUDIT OF REGIONAL OFFICES OF VETERANS BENEFITS ADMINISTRATION.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall complete an audit of the regional offices of the Veterans Benefits Administration—

(1) to assess the consistency of decisions being made with respect to claims for benefits under laws administered by the Secretary of Veterans Affairs; and

(2) to identify ways in which the consistency of such decisions can be improved.

(b) IDENTIFICATION OF FACTORS AND BEST PRACTICES.—The audit conducted under subsection (a) shall include the following:

(1) Identification of the factors, including management practices, that distinguish higher performing regional offices from other regional offices.

(2) Identification of best practices employed by higher performing regional offices that distinguish the performance of such offices from other regional offices.

1 (c) REPORT.—Not later than 90 days after the date
 2 on which the Comptroller General completes the audit re-
 3 quired by subsection (a), the Comptroller General shall
 4 submit to Congress a report on the results of the audit.

5 **SEC. 202. STUDY ON SERVICE-CONNECTED DISABILITIES**
 6 **THAT WORSEN WITH AGE.**

7 (a) IN GENERAL.—Not later than 180 days after the
 8 date of the enactment of this Act, the Secretary of Vet-
 9 erans Affairs shall complete a study on covered disabilities
 10 using historical data regarding service-connected disabil-
 11 ities.

12 (b) COVERED DISABILITIES.—For purposes of the
 13 study required by subsection (a), a covered disability is
 14 a service-connected disability that the Secretary deter-
 15 mines is of a type or class of disability or condition that
 16 the Secretary determines is a type or class of disability
 17 or condition that, for individuals with such type or class
 18 of disability, the average impairment of earning capacity
 19 resulting from such disability or condition increases as the
 20 individual with such disability or condition ages.

21 (c) MATTERS COVERED.—The study required by sub-
 22 section (a) shall include the following:

23 (1) Analysis of historical statistics and informa-
 24 tion related to the progressive nature of covered dis-

1 abilities, in terms of increased impairment of earn-
2 ing capacity caused by the disabilities.

3 (2) Development of recommendations for legis-
4 lative and administrative action that use statistics
5 and information described in paragraph (1) to adju-
6 dicate more quickly claims for increased disability
7 compensation and disability compensation claims of
8 veterans who had specific military occupation spe-
9 cialties when serving in the Armed Forces.

10 (d) REPORT.—Not later than 180 days after the date
11 of the enactment of this Act, the Secretary shall submit
12 to Congress a report on the study required by subsection
13 (a), including the findings of the Secretary with respect
14 to such study.

15 (e) PUBLIC COMMENT.—The Secretary shall—

16 (1) make the report submitted under paragraph
17 (1) available to the public; and

18 (2) seek comments from the public, including
19 from veterans service organizations, veterans, and
20 medical professionals, on the recommendations de-
21 veloped under subsection (c)(2).

22 (f) PROPOSAL.—

23 (1) IN GENERAL.—Not later than 180 days
24 after submitting the report under subsection (d), the
25 Secretary shall develop and submit to Congress a

1 proposal for conduct of a pilot program to assess the
 2 feasibility and advisability of carrying out the rec-
 3 ommendations developed under subsection (c)(2).

4 (2) INPUT.—In developing the proposal re-
 5 quired by paragraph (1), the Secretary shall con-
 6 sider the comments received under subsection (e)(2).

7 (3) LIMITATION.—The Secretary may not con-
 8 duct the pilot program proposed under paragraph
 9 (1) or any portion of such proposal except pursuant
 10 to provisions of law enacted after the date of the re-
 11 ceipt by Congress of such proposal.

12 (g) VETERANS SERVICE ORGANIZATION DEFINED.—
 13 In this section, the term “veterans service organization”
 14 means an organization recognized by the Secretary for the
 15 representation of veterans under section 5902 of title 38,
 16 United States Code.

17 **SEC. 203. IMPROVEMENTS TO AUTHORITY FOR PERFORM-**
 18 **ANCE OF MEDICAL DISABILITIES EXAMINA-**
 19 **TIONS BY CONTRACT PHYSICIAN.**

20 (a) EXTENSION OF TEMPORARY AUTHORITY.—Sub-
 21 section (c) of section 704 of the Veterans Benefits Act
 22 of 2003 (38 U.S.C. 5101 note) is amended by striking
 23 “December 31, 2014” and inserting “December 31,
 24 2016”.

25 (b) LICENSURE OF CONTRACT PHYSICIANS.—

1 (1) TEMPORARY AUTHORITY.—Such section
2 704 is further amended—

3 (A) by redesignating subsection (d) as sub-
4 section (e); and

5 (B) by inserting after subsection (c) the
6 following new subsection (d):

7 “(d) LICENSURE OF CONTRACT PHYSICIANS.—

8 “(1) IN GENERAL.—Notwithstanding any law
9 regarding the licensure of physicians, a physician de-
10 scribed in paragraph (2) may conduct an examina-
11 tion pursuant to a contract entered into under sub-
12 section (b) at any location in any State, the District
13 of Columbia, or a Commonwealth, territory, or pos-
14 session of the United States, so long as the examina-
15 tion is within the scope of the authorized duties
16 under such contract.

17 “(2) PHYSICIAN DESCRIBED.—A physician de-
18 scribed in this paragraph is a physician who—

19 “(A) has a current license to practice the
20 health care profession of the physician; and

21 “(B) is performing authorized duties for
22 the Department of Veterans Affairs pursuant to
23 a contract entered into under subsection (b).”.

1 (2) PILOT PROGRAM.—Section 504 of the Vet-
 2 erans’ Benefits Improvement Act of 1996 (38
 3 U.S.C. 5101 note) is amended—

4 (A) by redesignating subsections (c) and
 5 (d) as subsections (d) and (e), respectively; and

6 (B) by inserting after subsection (b) the
 7 following new subsection (c):

8 “(c) LICENSURE OF CONTRACT PHYSICIANS.—

9 “(1) IN GENERAL.—Notwithstanding any law
 10 regarding the licensure of physicians, a physician de-
 11 scribed in paragraph (2) may conduct an examina-
 12 tion pursuant to a contract entered into under sub-
 13 section (a) at any location in any State, the District
 14 of Columbia, or a Commonwealth, territory, or pos-
 15 session of the United States, so long as the examina-
 16 tion is within the scope of the authorized duties
 17 under such contract.

18 “(2) PHYSICIAN DESCRIBED.—A physician de-
 19 scribed in this paragraph is a physician who—

20 “(A) has a current license to practice the
 21 health care profession of the physician; and

22 “(B) is performing authorized duties for
 23 the Department of Veterans Affairs pursuant to
 24 a contract entered into under subsection (a).”.

1 (c) EXPANSION OF PILOT PROGRAM.—Subsection (b)
2 of such section 504 is amended to read as follows:

3 “(b) LOCATIONS.—

4 “(1) NUMBER.—The Secretary may carry out
5 the pilot program under this section through not
6 more than 15 regional offices of the Department of
7 Veterans Affairs.

8 “(2) SELECTION.—The Secretary shall select
9 the regional offices under paragraph (1) by ana-
10 lyzing appropriate data to determine the regional of-
11 fices that require support. Such appropriate data
12 shall include—

13 “(A) the number of backlogged claims;

14 “(B) the total pending case workload;

15 “(C) the length of time cases have been
16 pending;

17 “(D) the accuracy of completed cases;

18 “(E) the overall timeliness of completed
19 cases;

20 “(F) the availability and workload of the
21 examination units and physicians of the medical
22 centers in the regional office; and

23 “(G) any other data the Secretary deter-
24 mines appropriate.

1 “(3) ANNUAL ANALYSIS.—The Secretary shall
2 carry out the data analysis of the regional offices
3 under paragraph (2) during each year in which the
4 program under this section is carried out to deter-
5 mine the regional offices selected under paragraph
6 (1) for such year.”.

7 **SEC. 204. IMPROVEMENT OF MAIL PROCESSING BY DE-**
8 **PARTMENT OF VETERANS AFFAIRS.**

9 Not later than the date that is one year after the
10 date of the enactment of this Act, the Secretary of Vet-
11 erans Affairs shall develop and implement a plan to estab-
12 lish a uniform mail processing and scanning system
13 throughout the regional offices of the Veterans Benefits
14 Administration.

15 **SEC. 205. REVIEW OF PRACTICES OF REGIONAL OFFICES**
16 **REGARDING USE OF SUSPENSE DATES.**

17 (a) REVIEW REQUIRED.—Not later than 180 days
18 after the date of the enactment of this Act, the Inspector
19 General of the Department of Veterans Affairs shall con-
20 duct a review of the practices of regional offices of the
21 Department regarding the use of suspense dates during
22 the disability claim assessment process.

23 (b) REPORT.—Not later than 270 days after the date
24 of the enactment of this Act, the Inspector General of the
25 Department shall submit to Congress a report on the find-

1 ings of the Inspector General with respect to the review
2 conducted under subsection (a).

3 **SEC. 206. SEMIANNUAL REPORTS ON PROGRESS IN IMPLE-**
4 **MENTING VETERANS BENEFITS MANAGE-**
5 **MENT SYSTEM.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act and not less frequently
8 than once every 180 days thereafter until the Inspector
9 General of the Department of Veterans Affairs certifies
10 to Congress that the Veterans Benefits Management Sys-
11 tem is implemented and fully functional, the Secretary of
12 Veterans Affairs shall submit to Congress a report on the
13 progress of the Secretary in implementing the Veterans
14 Benefits Management System.

15 (b) CONTENTS.—The report required by subsection
16 (a) shall include the following:

17 (1) An assessment of the current functionality
18 of the Veterans Benefits Management System, in-
19 cluding whether each component of the system is
20 fully functional, partially functional, or not func-
21 tional.

22 (2) For each component of the system that is
23 partially functional or not functional, an estimate of
24 the date by which the Secretary expects the compo-
25 nent to be fully functional.

1 (3) Recommendations submitted to the Sec-
2 retary by employees of the Department of Veterans
3 Affairs who are involved in processing claims for
4 benefits under laws administered by the Secretary,
5 including veteran service representatives, rating vet-
6 eran service representatives, and decision review offi-
7 cers, for such legislative or administrative action as
8 the employees consider appropriate to improve the
9 processing of such claims.

10 **SEC. 207. ANNUAL REPORT ON CAPACITY OF VETERANS**

11 **BENEFITS ADMINISTRATION TO PROCESS**

12 **BENEFITS CLAIMS.**

13 (a) IN GENERAL.—Not later than one year after the
14 date of the enactment of this Act and not less frequently
15 than once each year thereafter, the Secretary of Veterans
16 Affairs shall submit to the Committee on Veterans' Affairs
17 of the Senate and the Committee on Veterans' Affairs of
18 the House of Representatives a report on the capacity of
19 the Veterans Benefits Administration to process claims for
20 benefits under laws administered by the Secretary during
21 the next one-year period.

22 (b) CONTENTS.—Each report submitted under sub-
23 section (a) shall include, for the period covered by the re-
24 port, the following:

1 (1) The number of claims for benefits under
2 laws administered by the Secretary that the Sec-
3 retary expects the Veterans Benefits Administration
4 to process.

5 (2) The number of full-time equivalent employ-
6 ees of the Veterans Benefits Administration who are
7 dedicated to processing such claims.

8 (3) An estimate of the number of such claims
9 a single full-time equivalent employee of the Admin-
10 istration can process in a year.

11 (4) An assessment of whether the Administra-
12 tion requires additional or fewer full-time equivalent
13 employees to process such claims during the next 1-
14 year, 5-year, and 10-year periods.

15 (c) PUBLIC AVAILABILITY.—The Secretary shall
16 make the report required by subsection (a) available to
17 the public on an Internet website of the Department of
18 Veterans Affairs.

19 **SEC. 208. INCREASED TRANSPARENCY IN MONDAY MORN-**
20 **ING WORKLOAD REPORT.**

21 (a) DISAGGREGATION OF CLAIMS BY DECISIONS RE-
22 QUIRING DISABILITY RATING.—The Secretary of Vet-
23 erans Affairs shall include in each Monday Morning Work-
24 load Report published by the Secretary the number of
25 claims for benefits under laws administered by the Sec-

1 retary that have been received by a regional office of the
2 Department of Veterans Affairs and are pending a deci-
3 sion, disaggregated by—

4 (1) whether the claim has been pending for
5 more than 125 days; and

6 (2) whether the claim requires a decision con-
7 cerning a disability rating.

8 (b) INCLUSION OF INFORMATION ON ASSIGNMENT OF
9 PARTIAL RATINGS.—The Secretary of Veterans Affairs
10 shall include in each Monday Morning Workload Report
11 published by the Secretary in the portion of the report
12 entitled “Transformation” and in the portion of the report
13 entitled “Aggregate” the number of partial ratings as-
14 signed.

15 (c) REPORT ON FULLY DEVELOPED CLAIMS.—The
16 Secretary of Veterans Affairs shall include in each Monday
17 Morning Workload Report published by the Secretary the
18 following:

19 (1) The total number of fully developed claims
20 for benefits under laws administered by the Sec-
21 retary that—

22 (A) have been received by a regional office
23 of the Department of Veterans Affairs; and

24 (B) are pending a decision.

1 (2) The total number of such claims that have
 2 been pending for more than 125 days, disaggregated
 3 by station.

4 **SEC. 209. REPORTS ON APPEALS OF DECISIONS ON BENE-**
 5 **FITS CLAIMS.**

6 (a) PUBLIC AVAILABILITY.—The Secretary of Vet-
 7 erans Affairs shall make the reports of the Department
 8 of Veterans Affairs entitled “Appeals Pending” and “Ap-
 9 peals Workload By Station” available to the public on an
 10 Internet website of the Department.

11 (b) APPEALS GRANTED BY STATION.—The Secretary
 12 shall include in one of the reports described in subsection
 13 (a) the percentage of appeals granted by station.

14 **TITLE III—GOVERNMENT**
 15 **RESPONSE**

16 **SEC. 301. INCREASED COOPERATION ACROSS GOVERN-**
 17 **MENT.**

18 (a) APPOINTMENT OF LIAISONS.—

19 (1) DEPARTMENT OF DEFENSE.—The Sec-
 20 retary of Defense shall appoint individuals as fol-
 21 lows:

22 (A) At least one individual to act as a liai-
 23 son under this section between the Department
 24 of Defense and the Department of Veterans Af-
 25 fairs.

1 (B) At least one individual for each of the
2 reserve components of the Armed Forces to act
3 as a liaison under this section between the re-
4 spective component of the Armed Forces and
5 the Department of Veterans Affairs.

6 (2) SOCIAL SECURITY ADMINISTRATION.—The
7 Commissioner of Social Security shall appoint at
8 least one individual to act as a liaison under this
9 section between the Social Security Administration
10 and the Department of Veterans Affairs.

11 (3) NATIONAL ARCHIVES AND RECORDS ADMIN-
12 ISTRATION.—The Archivist of the United States
13 shall appoint at least one individual to act as a liai-
14 son under this section between the Social Security
15 Administration and the Department of Veterans Af-
16 fairs.

17 (b) DUTIES OF LIAISONS.—Each individual acting as
18 a liaison under this section shall expedite the timely provi-
19 sion to the Secretary of Veterans Affairs of such informa-
20 tion as the Secretary requires to process claims submitted
21 to the Secretary for benefits under laws administered by
22 the Secretary.

23 (c) PROCEDURES.—

24 (1) IN GENERAL.—The Secretary of Veterans
25 Affairs, the Secretary of Defense, the Commissioner

1 of Social Security, and the Archivist of the United
2 States shall jointly develop and implement proce-
3 dures to improve the timely provision to the Sec-
4 retary of Veterans Affairs of such information as the
5 Secretary requires to process claims submitted to the
6 Secretary for benefits under laws administered by
7 the Secretary.

8 (2) TIMELY PROVISION.—The procedures devel-
9 oped and implemented under paragraph (1) shall en-
10 sure that the information provided to the Secretary
11 of Veterans Affairs is provided to the Secretary not
12 later than 30 days after the date on which the Sec-
13 retary requests the information.

14 (d) ANNUAL REPORTS.—Not less frequently than
15 once each year, the Secretary of Veterans Affairs shall
16 submit to Congress a report on—

17 (1) the requests for information made by the
18 Secretary during the most recent one-year period for
19 information from the Secretary of Defense, the Com-
20 missioner of Social Security, and the Archivist of the
21 United States required by the Secretary of Veterans
22 Affairs to process claims submitted to the Secretary
23 for benefits under laws administered by the Sec-
24 retary; and

25 (2) the timeliness of responses to such requests.

1 **SEC. 302. REPORT ON INTEROPERABILITY BETWEEN ELEC-**
2 **TRONIC HEALTH RECORDS SYSTEMS OF DE-**
3 **PARTMENT OF DEFENSE AND DEPARTMENT**
4 **OF VETERANS AFFAIRS.**

5 Not later than one year after the date of the enact-
6 ment of this Act, the Secretary of Defense and the Sec-
7 retary of Veterans Affairs shall jointly submit to Congress
8 a report that sets forth a timeline with milestones for
9 achieving interoperability between the electronic health
10 records systems of the Department of Defense and the De-
11 partment of Veterans Affairs.

○