

116TH CONGRESS
2D SESSION

H. R. 6571

To require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2020

Mr. BIGGS (for himself, Ms. GABBARD, Mr. BANKS, Mrs. RADEWAGEN, Mr. STANTON, Mr. GAETZ, Mrs. LEE of Nevada, Mrs. LESKO, Mr. GRIJALVA, Mr. MCKINLEY, Mr. GOSAR, and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, 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 “Transparency and Ef-
3 fective Accountability Measures for Veteran Caregivers
4 Act” or the “TEAM Veteran Caregivers Act”.

5 **SEC. 2. MODIFICATION OF ADMINISTRATION OF CARE-**
6 **GIVER PROGRAM OF DEPARTMENT OF VET-**
7 **ERANS AFFAIRS.**

8 (a) OFFICIAL DESIGNATION OF CAREGIVERS.—

9 (1) IN GENERAL.—The Secretary of Veterans
10 Affairs shall formally recognize all caregivers of vet-
11 erans by identifying any caregiver of a veteran in
12 the health record of the veteran.

13 (2) INCLUSION.—Caregivers recognized under
14 paragraph (1) shall include—

15 (A) family caregivers participating in the
16 program of comprehensive assistance for family
17 caregivers under subsection (a) of section
18 1720G of title 38, United States Code; and

19 (B) caregivers participating in the program
20 of support services for caregivers under sub-
21 section (b) of such section.

22 (b) NOTIFICATION LETTERS REGARDING CLINICAL
23 DETERMINATIONS.—

24 (1) IN GENERAL.—The Secretary, using a
25 standardized letter, shall notify veterans and care-
26 givers of veterans regarding any clinical determina-

tions made relating to claims, tier reduction, or termination of assistance under, or eligibility for, a caregiver program under subsection (a) or (b) of section 1720G of title 38, United States Code.

(2) ELEMENTS.—Notifications under paragraph (1) shall include the elements required for notices of decisions under section 5104(b) of title 38, United States Code, to the extent that those elements apply to determinations under paragraph (1).

(c) TEMPORARY EXTENSION OF BENEFITS FOR FAMILY CAREGIVER PROGRAM.—

(1) IN GENERAL.—Upon determining that a veteran who was receiving services under the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, is no longer clinically eligible for purposes of such program, the Secretary shall extend benefits under such program, including stipends under paragraph (3)(A)(ii)(V) of such section, for not less than 90 days after the date of notification under subsection (b) that the veteran is no longer clinically eligible.

(2) EXCLUSION.—Paragraph (1) shall not apply to the termination of caregiver benefits—

1 (A) if the Secretary determines that the
2 family caregiver committed fraud or abused or
3 neglected the veteran;

4 (B) if the family caregiver was designated
5 under section 1720G(a)(7) of title 38, United
6 States Code, as the primary provider of per-
7 sonal care services for the veteran and another
8 primary provider is designated within 90 days
9 after the date of termination, in which case
10 benefits for the terminated primary provider
11 will terminate the day before the date on which
12 the new primary provider is designated;

13 (C) if another individual is designated to
14 be a family caregiver within 90 days after the
15 date of termination, such that there are three
16 family caregivers assigned to the veteran, in
17 which case benefits for the terminated family
18 caregiver will terminate the day before the date
19 on which the new family caregiver is des-
20 ignated;

21 (D) the terminated individual had been liv-
22 ing with the veteran and moves out, or the ter-
23 minated individual abandons or terminates his
24 or her relationship with the veteran; or

- 1 (E) upon request of the family caregiver or
- 2 the veteran.

