

Summary
Veterans Benefits and Transition Act of 2018
S. 2248 with a Roe amendment in the nature of a substitute

Title I – Education

Sec. 101. Inclusion of certain additional periods of active duty service for purposes of suspension of charges to entitlement during periods of suspended participation in Department of Veterans Affairs Vocational Rehabilitation Programs: This provision would amend title 38, U.S.C., so that when a reservist receiving vocational rehabilitation program assistance is mobilized in support of a national emergency or a preplanned operational mission, any period of training in which they do not receive credit for that training because of the mobilization will not be counted against their overall use of the vocational rehabilitation program benefit.

Sec. 102. Provision of monthly housing stipend information under post-9/11 Educational Assistance Program: This provision would require the Secretary to provide electronic proof to a veteran that they will be receiving housing payments from VA under the GI Bill as a source of income so that the veteran can provide this proof to a landlord when applying to rent a home.

Sec. 103. Disapproval for purposes of educational assistance programs of Department of Veterans Affairs of certain courses of education that do not permit individuals to attend or participate in courses pending payment: This provision would require that in order for a school or training program to be approved for GI Bill benefits they must adopt a policy that disallows the school or training program from imposing a late fee, denial of access to facilities, or other penalty against a veteran or eligible dependent due to a late payment of tuition and/or fees from VA. This would only apply if the payments have not been received within 90 days of the beginning of the term and the Secretary would have the authority to waive this requirement. Schools would be allowed to require students to provide documentation to ensure that they are entitled to GI Bill benefits.

The restriction on penalties would not apply in cases where the student owes additional payment to the school beyond the amount of the tuition and fee payment from VA to the school. VA would have to make payments to schools no later than 60 days after receiving the tuition and fee certification from the school, and they would have to report semiannually to Congress any cases in which VA fails to make such payments within 60 days of certification.

Sec. 104. Provision of information on required additional actions to allow individuals to stay enrolled in courses of education pending receipt of educational assistance from Department of Veterans Affairs: This provision would require that VA provide information on the GI Bill comparison tool for schools that require additional documentation to provide protection against adverse action against a student due to a late payment of tuition and/or fees from VA.

Sec. 105. Calculation of monthly housing stipend under high technology pilot program based on location of campus where veteran attends classes: This provision would provide a technical change to section 116 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 to align the policy for calculation of the monthly housing allowance paid to students participating in the VET-TEC pilot to align with section 107 of the law which requires VA to calculate the housing payments based on where the student was taking the majority of their classes.

Sec. 106. Clarification regarding applicability of authority to use educational assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning: This provision would provide a technical amendment to the title of section 302 of the Harry W. Colmery Veterans Educational Assistance Act of 2017, which provides increased flexibility to use GI Bill funds for independent study, to ensure that flexibility extends to all GI Bill programs and not just the Post-9/11 GI Bill.

Title II – Memorial Affairs

Sec. 201. Eligibility of spouses and children of veterans buried in tribal cemeteries for certain Department of Veterans Affairs burial benefits: This section would authorize VA to expand authority to provide headstones and markers to eligible spouses and dependents in tribal veterans cemeteries.

Sec. 202. Department of Veterans Affairs provision of headstones and markers for, and interment in national cemeteries of, spouses and dependent children of members of the Armed Forces serving on active duty: This section would require VA to inter deceased spouses and dependents of active duty servicemembers in national cemeteries through September 30, 2024. This section would also require a general court-martial convening authority to provide a statement that the active duty servicemember is serving under conditions other than dishonorable

Title III – Civil Relief

Sec. 301. Termination of leases of premises of deceased servicemembers who die while in military service: This provision would amend the Servicemembers Civil Relief Act (SCRA) to allow the spouse of a servicemember who dies on active duty to terminate a residential lease within one year of the servicemember's death without penalty.

Sec. 302. Residence of spouses for servicemembers for tax purposes: This provision would amend SCRA to allow the spouse of a servicemember to elect to use the same state of residence as the servicemember for state or local tax purposes regardless of when or where the two individuals were married. These changes would apply with respect to any return of state or local income tax filed for any taxable year beginning with the taxable year that includes enactment.

Sec. 303. Residence of spouses of servicemembers for voting: This provision would amend SCRA to allow the spouse of a servicemember to elect to use the same residence as the servicemember for state and local voting purposes, even if they are absent from that state due to military orders and regardless of when or where they got married.

Sec. 304. Termination of multichannel video programming and Internet access service Contracts: This provision would amend SCRA to allow a servicemember to terminate a commercial mobile, telephone exchange, Internet access, or multichannel video programming service contract at any time after the date the servicemember receives military orders to relocate for at least 90 days to a location that does not support such service contract. (Currently, such provision applies to a cellular telephone service or a telephone exchange service contract only.) Additionally, this provision would require a servicemember to return any provider-owned consumer equipment to the service provider not later than 10 days after the service is disconnected.

Title IV – Transition Assistance

Sec. 401. Study of community-based transition assistance programs for members of the armed forces after separation, retirement, or discharge: This provision would authorize VA to contract with a non-Federal entity to conduct a study to identify community-based programs that provide transition training. VA would be required to place the list created by this study online and submit the list to the Department of Defense so they can provide it to transitioning servicemembers.

Title V – Departmental Administration

Sec. 501. Misuse of Department of Veterans Affairs purchase cards by Department employees: VA is now able to make purchases up to \$10,000 using government purchase cards rather than by awarding contracts. This helpful convenience also poses risk for misuse. This section requires the VA Secretary to revoke the purchase card or purchase card approval authority from any employee who is found to have knowingly misused it. This is a safeguard designed to stop further misuse while existing penalties, ranging from suspension to demotion to removal, are considered.

Sec. 502. Updating dependent information: This section would require the Secretary to make changes to the Department's information technology systems so that the claimant is able to review and revise information about dependents electronically.

Sec. 503. Oversight of Electronic Health Record Modernization Program: This section directs VA to provide Congress with the EHR Modernization program's key planning and implementation documents, in addition to copies of the contracts, to indicate the effort's progress and how the money is being spent. The legislation also requires VA to notify Congress in the event of any significant cost increase, schedule delay, loss of veteran health data or breach of privacy.

Sec. 504. Department of Veterans Affairs notice relating to debt collection activities: This section would mandate that VA work with VSOs to develop a new standard format for notification letters that, in plain language, clearly explain why such alleged debt was created, and the steps the veteran can take to dispute or mitigate the debt. The bill would require VA to notify Congress when the development of such letter is complete. If such letter is not complete within

90 days of the date of enactment, VA shall notify Congress and detail the progress of developing the letter and explain why such letter is not complete. Furthermore, VA shall submit a report to Congress every 30 days thereafter, until development of such letter is complete.

This section would also require the Secretary to develop an option for individuals to choose to receive notice of a debt by electronic means. Those individuals who do not elect to receive electronic notification will receive their letter by standard mail. Sec. 504 would also require the Secretary to coordinate with the Secretary of the Treasury to research the number of veterans who do not receive debt notification letters and provide a report to Congress detailing the steps VA (working with the Treasury) can adopt to reduce the number of notices sent to incorrect addresses and provide a timeline for adopting such options. The report would also include an estimated cost of sending debt collection letters via certified mail, and an analysis of the effectiveness of sending notices by certified mail, among other considerations.

Title VI – Medical Facilities

Sec. 601. Authorization of major medical facility projects for fiscal year 2019: Authorizes the appropriations to carry out the construction of: a community living center and renovation of facilities in Canandaigua, NY; the renovation of space for a simulation training education center in North Chicago, IL; the construction of a surgical intensive care unit and renovation of the operating room suite in Oklahoma City, OK; and the initial construction of a new medical facility in Louisville, KY.

Sec. 602. Plans to improve medical facilities of the Department of Veterans Affairs: This provision requires that each director of a medical facility submit, to their respective network directors, plans as to how that facility can be approved. VISN Directors are then required to create and submit to the Secretary a plan, incorporating facility plans, as to how all facilities in the network can be improved to increase quality and efficiency of care. Regular reports as to the actions being taken by directors to improve facilities are required. The provision includes a sense of Congress that the Secretary should make full use of the authority to contract with a nonprofit organization that accredits health care organizations and programs to assess and report deficiencies in any of these facilities.

Title VII – Other Matters

Sec. 701. Homeless Veterans Reintegration Programs: This provision would clarify and expand the definition of homeless veterans who are eligible for assistance under the Homeless Veterans Reintegration Program to ensure that all recently homeless veterans and participants in other VA and Department of Housing and Urban Development (HUD) homeless prevention and grant programs would be eligible for services under this program. These programs would include: the U.S. Department of Housing and Urban Development-VA Supportive Housing (HUD-VASH); Supportive Services for Veteran Families; the HUD-VASH program for Native American veterans; veterans who are transitioning from incarceration; and other recently homeless veterans.

Sec. 702. Technical Corrections: This section makes technical corrections to title 38 and P.L. 104-275.

Sec. 703. Medical Surgical Prime Vendor program: This section would require the Secretary to carry out the Medical Surgical Prime Vendor program, in procuring certain medical supplies, in a manner that requires the Secretary to award contracts to multiple regional prime vendors instead of a single nationwide prime vendor and prohibits a prime vendor from solely designing the supply formulary. It would require that VA employees conducting formulary analyses or making related decisions has relevant medical expertise. Every six months, VA would be required to submit to Congress a list of each employee conducting formulary analyses or making related decisions and their relevant medical expertise.

Sec. 704. Report on expanding access to dental care for veterans eligible for health care from the Department of Veterans Affairs: This provision requires a report on the feasibility and advisability of expanding access to dental care for eligible veterans. The report shall include analysis of: access and affordability via VA care, the VA dental insurance plan, Medicaid, or private dental insurance; the oral health needs of eligible veterans; the financial impact to the department of providing dental care to include a cost-benefit analysis; and the numbers of providers needed to provide such care. The report shall be disaggregated by priority group enrollment eligibility.