

119TH CONGRESS  
1ST SESSION

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To amend title 38, United States Code, to improve matters relating to medical examinations for veterans disability compensation, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. BLUMENTHAL (for himself and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To amend title 38, United States Code, to improve matters relating to medical examinations for veterans disability compensation, 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 “Medical Disability Ex-  
5       amination Improvement Act of 2025”.

1 **SEC. 2. PILOT PROGRAM ON CONDUCT OF MEDICAL EXAMI-**  
2 **NATIONS AT MEDICAL FACILITIES OF DE-**  
3 **PARTMENT OF VETERANS AFFAIRS FOR VET-**  
4 **ERANS DISABILITY COMPENSATION CLAIMS**  
5 **UNDER LAWS ADMINISTERED BY SECRETARY**  
6 **OF VETERANS AFFAIRS.**

7 (a) PILOT PROGRAM AUTHORIZED.—The Under Sec-  
8 retary of Benefits may carry out a pilot program to assess  
9 the feasibility and advisability of providing for the conduct  
10 of medical examinations, or obtaining medical opinions,  
11 under section 5103A(d) of title 38, United States Code,  
12 at medical facilities of the Department of Veterans Af-  
13 fairs.

14 (b) LOCATIONS.—In carrying out the pilot program  
15 under this section, the Secretary shall carry out the pilot  
16 program at medical facilities of the Department as follows:

17 (1) In fiscal years before fiscal year 2027, med-  
18 ical facilities in not more than one Veterans Inte-  
19 grated Service Network of the Department of Vet-  
20 erans Affairs selected by the Under Secretary for  
21 Benefits, in coordination with the Under Secretary  
22 for Health, for purposes of the pilot program under  
23 this section.

24 (2) In fiscal year 2029, medical facilities in not  
25 more than three Veterans Integrated Service Net-  
26 works of the Department of Veterans Affairs se-

1       lected by the Under Secretary for Benefits, in co-  
2       ordination with the Under Secretary for Health, for  
3       purposes of the pilot program under this section.

4           (3) In fiscal year 2031, medical facilities in not  
5       more than six Veterans Integrated Service Networks  
6       of the Department of Veterans Affairs selected by  
7       the Under Secretary for Benefits, in coordination  
8       with the Under Secretary for Health, for purposes of  
9       the pilot program under this section.

10          (4) In fiscal year 2033, medical facilities in not  
11       more than 10 Veterans Integrated Service Networks  
12       of the Department of Veterans Affairs selected by  
13       the Under Secretary for Benefits, in consultation  
14       with the Under Secretary for Health, for purposes of  
15       the pilot program under this section.

16          (5) In fiscal year 2035 and each fiscal year  
17       thereafter, medical facilities in through such Vet-  
18       erans Integrated Service Networks of the Depart-  
19       ment as the Under Secretary for Benefits, in con-  
20       sultation with the Under Secretary for Health, con-  
21       siders appropriate for purposes of the pilot program  
22       under this section.

23       (c) REPORT TO CONGRESS.—

24           (1) IN GENERAL.—If the Under Secretary com-  
25       mences conducting a pilot program pursuant to sub-

1       section (a) before the date that is two years after  
2       the date of the enactment of this Act, the Under  
3       Secretary shall, not later than two years after the  
4       date of the enactment of this Act, submit to Con-  
5       gress a report on the findings of the Under Sec-  
6       retary with respect to the pilot program.

7           (2) CONTENTS.—The report submitted pursu-  
8       ant to paragraph (1) shall include an assessment of  
9       the Under Secretary of the effect of the use of the  
10      authority provided by subsection (a) on the cost,  
11      timeliness, quality, and capacity of the Department  
12      to provide medical disability examinations.

13      (d) SOURCE OF FUNDS.—Amounts expended or obli-  
14      gated by the Under Secretary to carry out the pilot pro-  
15      gram under this section, including for payments for exam-  
16      ination travel and incidental expenses under the terms and  
17      conditions set forth by section 111 of title 38, United  
18      States Code, shall be reimbursed to the accounts available  
19      for the general operating expenses of the Veterans Bene-  
20      fits Administration and information technology systems  
21      from amounts available to the Secretary of Veterans Af-  
22      fairs for payment of compensation and pension.

1 **SEC. 3. STUDY ON IMPROVEMENTS TO DEPARTMENT OF**  
2 **VETERANS AFFAIRS COVERED MEDICAL DIS-**  
3 **ABILITY EXAMINATIONS IN RURAL AREAS.**

4 (a) STUDY REQUIRED.—Not later than one year  
5 after the date of the enactment of this Act, the Secretary  
6 of Veterans Affairs shall complete a study on access by  
7 veterans who reside in rural and highly rural areas to cov-  
8 ered medical disability examinations.

9 (b) ELEMENTS.—

10 (1) IN GENERAL.—The study conducted under  
11 subsection (a) shall include the following:

12 (A) A comparison of the average number  
13 of days to complete covered medical disability  
14 examinations, disaggregated by type of exam-  
15 ination, for veterans who reside in rural and  
16 highly rural areas compared to an average time  
17 for veterans who reside in other areas to com-  
18 plete a covered medical disability examination,  
19 by either contractors or employees of the De-  
20 partment.

21 (B) A root cause analysis of differences  
22 identified pursuant to subparagraph (A).

23 (C) The plan of the Secretary for the fol-  
24 lowing year to improve access described in sub-  
25 section (a), which shall include a plan for the  
26 pursuit of a commercial or industry-standard

1 solution or technology that could enable house-  
2 bound veterans or veterans who live in rural  
3 areas to receive examinations without traveling  
4 long distances.

5 (2) NUMBER OF DAYS TO COMPLETE DE-  
6 FINED.—For purposes of paragraph (1)(A), the  
7 term “number of days to complete” means the num-  
8 ber of days in the period—

9 (A) beginning on the date on which a con-  
10 tractor or employee of the Department received  
11 a request from the Secretary to conduct a cov-  
12 ered medical disability examination; and

13 (B) ending on the date on which the exam-  
14 ination was completed.

15 (c) REPORT ON STUDY.—Not later than one year  
16 after the date of the enactment of this Act, the Secretary  
17 shall submit to the Committee on Veterans’ Affairs of the  
18 Senate and the Committee on Veterans’ Affairs of the  
19 House of Representatives a report on the findings of the  
20 Secretary with respect to the study completed under sub-  
21 section (a).

22 (d) DEFINITIONS.—In this section:

23 (1) COVERED MEDICAL DISABILITY EXAMINA-  
24 TION.—The term “covered medical disability exam-  
25 ination” means a medical nexus examination or

1 medical opinion for the purposes of adjudicating a  
2 benefit under chapter 11 or 15 of title 38, United  
3 States Code, regardless of whether conducted by an  
4 employee or a contractor of the Department.

5 (2) RURAL; HIGHLY RURAL.—The terms  
6 “rural” and “highly rural” have the meanings given  
7 those terms under the rural-urban commuting areas  
8 coding system of the Department of Agriculture.

9 **SEC. 4. IMPROVEMENTS TO TRAINING FOR PROCESSING**  
10 **MEDICAL DISABILITY EXAMINATIONS.**

11 (a) IN GENERAL.—Not later than 180 days after the  
12 date of the enactment of this Act, the Secretary of Vet-  
13 erans Affairs shall require additional training for new and  
14 probationary employees of the Department of Veterans Af-  
15 fairs who order or review covered medical disability exami-  
16 nations.

17 (b) TRAINING REQUIREMENTS.—The training re-  
18 quired under subsection (a) shall include the following:

19 (1) Instruction on how to assess whether a cov-  
20 ered medical disability examination is adequate for  
21 purposes of adjudicating a claim for a benefit under  
22 laws administered by the Secretary.

23 (2) Instruction on how to assess whether a  
24 medical disability examination is necessary for pur-

1 poses of adjudicating a particular claim for a ben-  
2 efit.

3 (3) Review of relevant statutes, judicial deci-  
4 sions, regulations, and policies of the Department  
5 regarding covered medical disability examinations,  
6 including, at a minimum—

7 (A) the duty to assist;

8 (B) the relevance of causation compared to  
9 other evidentiary standards in covered medical  
10 disability examinations;

11 (C) the required elements of a covered  
12 medical disability examination, with an empha-  
13 sis on the requirement for reasoned analysis to  
14 support medical opinions; and

15 (D) the relevance of a lack of a statutory  
16 or regulatory presumption of service-connection  
17 in covered medical disability examinations.

18 (4) Input from impacted employees of the De-  
19 partment, including duly appointed labor representa-  
20 tives of Department employees.

21 (c) SECOND LEVEL OF REVIEW FOR NEW EMPLOY-  
22 EES.—The Secretary shall ensure that a new employee de-  
23 scribed in subsection (a) is subject to a second level of  
24 review before the employee can order a covered medical



1 disability examination until the employ achieves an accu-  
2 racy rate of 90 percent on decisions of claims.

3 (d) MODIFICATION OF REPORTS.—

4 (1) BOARD OF VETERANS' APPEALS.—Section  
5 7101(d)(2) of title 38, United States Code, is  
6 amended—

7 (A) in subparagraph (F), by striking “;  
8 and” and inserting a semicolon;

9 (B) in subparagraph (G), by striking the  
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following new  
12 subparagraph:

13 “(H) a summary of recurring issues that result  
14 in the Board remanding appeals back to the agency  
15 of original jurisdiction.”.

16 (2) UNITED STATES COURT OF APPEALS FOR  
17 VETERANS CLAIMS.—Section 7288(b) of title 38,  
18 United States Code, is amended by adding at the  
19 end the following new paragraph:

20 “(16) A summary of recurring issues that re-  
21 sult in remands.”.

22 (e) DEFINITION OF COVERED MEDICAL DISABILITY  
23 EXAMINATION.—In this section, the term “covered med-  
24 ical disability examination” means a medical examination  
25 or medical opinion that the Secretary determines nec-

1 essary for the purposes of adjudicating a benefit under  
2 chapter 11 or 15 of title 38, United States Code, regard-  
3 less of whether conducted by an employee or a contractor  
4 of the Department.

5 **SEC. 5. REVIEW AND PRIORITY PROCESSING OF CLAIMS**  
6 **WITH INADEQUATE OR UNNECESSARY EXAMI-**  
7 **NATIONS.**

8 (a) REVIEW.—Not later than one year after the date  
9 of the enactment of this Act and not less frequently than  
10 once every three months thereafter until the date that is  
11 three years after the date of the enactment of this Act,  
12 the Secretary of Veterans Affairs shall review a statis-  
13 tically significant sample of all covered medical disability  
14 examinations completed during the previous three-month  
15 period.

16 (b) FURTHER SAMPLE REQUIREMENTS.—Under  
17 each review required by subsection (a), the Secretary shall  
18 ensure the review includes—

19 (1) a statistically significant sample of covered  
20 medical disability examinations completed by em-  
21 ployees of the Department of Veterans Affairs; and

22 (2) a statistically significant sample of covered  
23 medical disability examinations completed by each  
24 contractor that provides such examinations for the  
25 Department.

1 (c) ANALYSIS.—Under each review required by sub-  
2 section (a), the Secretary shall—

3 (1) analyze the samples specified in subsection  
4 (b); and

5 (2) pursuant to such analysis, identify—

6 (A) the percentage of examinations that  
7 were adequate for purposes of adjudicating the  
8 particular claim for a benefit under chapter 11  
9 or 15 of title 38, United States Code, for which  
10 the examination was ordered by the Depart-  
11 ment; and

12 (B) the percentage of examinations consid-  
13 ered overdeveloped for purposes of adjudicating  
14 claims for a benefit under chapter 11 or 15 of  
15 title 38, United States Code, for which the ex-  
16 amination was ordered by the Department.

17 (d) PRIORITY PROCESSING.—

18 (1) IN GENERAL.—Except as provided for in  
19 paragraph (2), if during a review under subsection  
20 (a) the Secretary finds any covered medical dis-  
21 ability examination to be not adequate for adjudi-  
22 cating a claim, the Secretary shall ensure the claim-  
23 ant examined by that examination—

24 (A) receives another examination, if nec-  
25 essary, on a priority basis; and

1 (B) receives priority processing for the en-  
2 tirety of impacted claim.

3 (2) EXCEPTION.—The Secretary is not required  
4 to furnish an additional examination under para-  
5 graph (1) if the Secretary determines such an exam-  
6 ination to be unnecessary for purposes of adjudi-  
7 cating the claim.

8 (e) COMPTROLLER GENERAL OF THE UNITED  
9 STATES STUDY.—The Comptroller General of the United  
10 States shall conduct a review of the methodology and ef-  
11 fectiveness of the reviews conducted under subsection (a).

12 (f) COVERED MEDICAL DISABILITY EXAMINATION  
13 DEFINED.—In this section, the term “covered medical dis-  
14 ability examination” means a medical examination or  
15 opinion for the purposes of adjudicating a claim for a ben-  
16 efit under chapter 11 or 15 of title 38, United States  
17 Code, regardless of whether conducted by an employee or  
18 a contractor of the Department.

1 **SEC. 6. MECHANISM FOR CONTRACTORS CONDUCTING DIS-**  
2 **ABILITY EXAMINATIONS UNDER CERTAIN DE-**  
3 **PARTMENT OF VETERANS AFFAIRS PILOT**  
4 **PROGRAM TO TRANSMIT MEDICAL EVIDENCE**  
5 **INTRODUCED BY CLAIMANTS DURING EXAMI-**  
6 **NATIONS.**

7 (a) **【IN GENERAL】**.—Section 504 of the Veterans’  
8 Benefits Improvements Act of 1996 (Public Law 104–275;  
9 38 U.S.C. 5101 note) is amended—

10 (1) by redesignating subsections (d) and (e) as  
11 subsections (e) and (f), respectively; and

12 (2) by inserting after subsection (c) the fol-  
13 lowing new subsection (d):

14 “(d) **MECHANISM FOR TRANSMITTAL OF EVIDENCE**  
15 **INTRODUCED BY APPLICANTS DURING EXAMINATIONS.**—  
16 The Secretary shall establish a mechanism whereby a  
17 health care professional who conducts medical examina-  
18 tions or opinions under section 5103A(d) of title 38,  
19 United States Code, may transmit to a veteran’s claims  
20 file, evidence introduced by the applicant during a medical  
21 examination or in conjunction with a medical opinion that  
22 examiner used to inform such medical examination or  
23 opinion.”.

1 **SEC. 7. REVIEW AND PLAN REGARDING DEPARTMENT OF**  
2 **VETERANS AFFAIRS SCHEDULING OF MED-**  
3 **ICAL EXAMINATIONS.**

4 (a) REVIEW REQUIRED.—Not later than one year  
5 after the date of the enactment of this Act, the Secretary  
6 of Veterans Affairs shall complete a review of scheduling  
7 request tools, contracts, and systems used by employees  
8 and contractors of the Department of Veterans Affairs to  
9 order and conduct medical disability examinations.

10 (b) PLAN REQUIRED.—Not later than one year after  
11 the date of the enactment of this Act, the Secretary shall  
12 submit to the Committee on Veterans' Affairs of the Sen-  
13 ate and the Committee on Veterans' Affairs of the House  
14 of Representatives a plan to ensure the following:

15 (1) Systems and processes used by the Depart-  
16 ment enable seamless and clear communication of  
17 requirements between the claims processors who re-  
18 quest medical disability examinations and medical  
19 disability examination vendors, including through a  
20 contract.

21 (2) Medical disability examiners, including  
22 through a contract, review the medical records and  
23 claims information necessary to conduct exams that  
24 are adequate for purposes of rating claims for bene-  
25 fits under laws administered by the Secretary.

1           (3) Claimants or appellants for whom a medical  
2           disability examination is requested of the Depart-  
3           ment have agency in determining when and where  
4           the examination is conducted within a reasonable  
5           timeframe, as determined by the Secretary.

6           (4) Claimants or appellants for whom a medical  
7           disability examination is requested of the Depart-  
8           ment have a seamless experience when scheduling  
9           their examinations without regard to which medical  
10          disability vendor conducts the examinations.

11          (5) The Department conducts customer satis-  
12          faction and experience surveys of claimants or appel-  
13          lants who attend medical disability examinations  
14          provided under laws administered by the Secretary.