

113TH CONGRESS
1ST SESSION

H. R. 733

To amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2013

Mr. RUNYAN (for himself and Mr. WALZ) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs.

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 “Access to Veterans
5 Benefits Improvement Act”.

1 **SEC. 2. PROVISION OF ACCESS TO CASE-TRACKING INFOR-**
2 **MATION.**

3 (a) IN GENERAL.—Chapter 59 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 5906. Provision of access to case-tracking informa-**
7 **tion**

8 “(a) IN GENERAL.—(1) In accordance with sub-
9 section (b), the Secretary shall provide a covered employee
10 with access to the case-tracking system to provide a vet-
11 eran with information regarding the status of a claim sub-
12 mitted by such veteran, regardless of whether such em-
13 ployee is acting under a power of attorney executed by
14 such veteran.

15 “(2) In providing a covered employee with access to
16 the case-tracking system under paragraph (1), the Sec-
17 retary shall ensure—

18 “(A) that such access—

19 “(i) is provided in a manner that does not
20 allow such employee to modify the data con-
21 tained in such system; and

22 “(ii) does not include access to medical
23 records; and

24 “(B) that each time a covered employee ac-
25 cesses such system, the employee must certify that
26 such access is for official purposes only.

1 “(b) PRIVACY CERTIFICATION COURSE.—The Sec-
 2 retary may not provide a covered employee with access to
 3 the case-tracking system under subsection (a)(1) unless
 4 the covered employee has successfully completed a certifi-
 5 cation course on privacy issues provided by the Secretary.

6 “(c) TREATMENT OF DISCLOSURE.—The access to
 7 information by a covered employee pursuant to subsection
 8 (a)(1) shall be deemed to be—

9 “(1) a covered disclosure under section 552a(b)
 10 of title 5; and

11 “(2) a permitted disclosure under regulations
 12 promulgated under section 264(c) of the Health In-
 13 surance Portability and Accountability Act of 1996
 14 (42 U.S.C. 1320d–2 note).

15 “(d) DEFINITIONS.—In this section:

16 “(1) The term ‘case-tracking system’ means the
 17 system of the Department of Veterans Affairs that
 18 provides information regarding the status of a claim
 19 submitted by a veteran.

20 “(2) The term ‘covered employee’ means—

21 “(A) an employee of a Member of Congress
 22 who assists the constituents of the Member with
 23 issues regarding departments or agencies of the
 24 Federal Government; or

1 “(B) an employee of a State or local gov-
2 ernmental agency (including a veterans service
3 officer) who, in the course of carrying out the
4 responsibilities of such employment, assists vet-
5 erans with claims for any benefit under the
6 laws administered by the Secretary.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such chapter is amended by adding
9 at the end the following new item:

“5906. Provision of access to case-tracking information.”.

