

115TH CONGRESS
1ST SESSION

H. R. 1725

IN THE SENATE OF THE UNITED STATES

MAY 24, 2017

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To direct the Secretary of Veterans Affairs to submit certain reports relating to medical evidence submitted in support of claims for benefits under the laws administered by the Secretary.

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. REPORT ON PROGRESS OF DEPARTMENT OF**
2 **VETERANS AFFAIRS ACCEPTABLE CLINICAL**
3 **EVIDENCE INITIATIVE.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary shall sub-
6 mit to the Committee on Veterans' Affairs of the Senate
7 and the Committee on Veterans' Affairs of the House of
8 Representatives a report on the progress of the Acceptable
9 Clinical Evidence initiative of the Department of Veterans
10 Affairs in reducing the necessity for in-person disability
11 examinations and other efforts to comply with the provi-
12 sions of section 5125 of title 38, United States Code.

13 (b) CONTENTS OF REPORT.—The report required by
14 subsection (a) shall include the following:

15 (1) The number of claims eligible for the Ac-
16 ceptable Clinical Evidence initiative during the pe-
17 riod beginning on the date of the commencement of
18 the initiative and ending on the date of the sub-
19 mittal of the report, disaggregated by fiscal year.

20 (2) The total number of claims eligible for the
21 Acceptable Clinical Evidence initiative that required
22 a medical examiner of the Department to supple-
23 ment the evidence with information obtained during
24 a telephone interview with a claimant.

25 (3) Information on any other initiatives or ef-
26 forts of the Department to further encourage the

1 use of private medical evidence and reliance upon re-
2 ports of a medical examination administered by a
3 private physician if the report is sufficiently com-
4 plete to be adequate for the purposes of adjudicating
5 a claim.

6 (4) The anticipated impact on the timeline and
7 accuracy of a decision on a claim for benefits under
8 chapter 11 or 15 of title 38, United States Code, if
9 the Secretary were prohibited from requesting a
10 medical examination in the case of a claim in sup-
11 port of which a claimant submits medical evidence
12 and a medical opinion provided by a private physi-
13 cian that is competent, credible, probative, and oth-
14 erwise adequate for the purpose of making a deci-
15 sion on that claim.

16 (5) Recommendations on how the Department
17 can measure, track, and prevent the ordering of un-
18 necessary medical examinations when the provision
19 by a claimant of a medical examination administered
20 by a private physician in support of a claim for ben-
21 efits under chapter 11 or 15 of title 38, United
22 States Code, is adequate for the purpose of making
23 a decision on that claim.

1 **SEC. 2. ANNUAL REPORT ON SUBMITTAL OF PRIVATE MED-**
2 **ICAL EVIDENCE IN SUPPORT OF CLAIMS FOR**
3 **DEPARTMENT OF VETERANS AFFAIRS BENE-**
4 **FITS.**

5 Not later than March 1 of fiscal years 2018 through
6 2024, the Secretary of Veterans Affairs shall submit to
7 Congress a report that includes, for the calendar year pre-
8 ceding the year in which the report is submitted, the fol-
9 lowing for each regional office of the Department of Vet-
10 erans Affairs:

11 (1) The number of times a veteran who sub-
12 mitted private medical evidence in support of a claim
13 for compensation or pension under the laws adminis-
14 tered by the Secretary was scheduled for an exam-
15 ination performed by Department personnel because
16 the private medical evidence submitted was deter-
17 mined to be unacceptable.

18 (2) The most common reasons why private
19 medical evidence submitted in support of claims for
20 benefits under the laws administered by the Sec-
21 retary was determined to be unacceptable.

22 (3) The types of disabilities for which claims for
23 benefits under the laws administered by the Sec-

Attest: KAREN L. HAAS,
Clerk.