

Calendar No. 415

116TH CONGRESS
2D SESSION**S. 3182**

To direct the Secretary of Veterans Affairs to carry out the Women’s Health Transition Training pilot program through at least fiscal year 2020, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 13, 2020

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

FEBRUARY 5, 2020

Reported by Mr. MORAN, with an amendment and an amendment to the title

[Insert the part printed in *italic*]

A BILL

To direct the Secretary of Veterans Affairs to carry out the Women’s Health Transition Training pilot program through at least fiscal year 2020, 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 “Helping Expand and
5 Launch Transitional Health for Women Veterans Act” or
6 “HEALTH Act”.

1 **SEC. 2. CONTINUATION OF WOMEN’S HEALTH TRANSITION**
2 **TRAINING PILOT PROGRAM OF DEPARTMENT**
3 **OF VETERANS AFFAIRS.**

4 (a) DURATION.—The Secretary of Veterans Affairs
5 shall carry out the Women’s Health Transition Training
6 pilot program of the Department of Veterans Affairs (in
7 this section referred to as the “pilot program”) until at
8 least September 30, 2020.

9 (b) REPORT.—Not later than September 30, 2020,
10 the Secretary of Defense and the Secretary of Veterans
11 Affairs shall jointly submit to the appropriate congres-
12 sional committees a report on the pilot program that in-
13 cludes the following:

14 (1) The number of women members of the
15 Armed Forces, disaggregated by military department
16 (with respect to the Department of the Navy, disag-
17 gregated by the Navy and Marine Corps), who par-
18 ticipated in the pilot program.

19 (2) The number of courses held under the pilot
20 program.

21 (3) The locations at which such courses were
22 held, the number of seats available for such courses,
23 and the number of participants at each such loca-
24 tion.

1 (4) With respect to the number of members of
2 the Armed Forces who participated in the pilot pro-
3 gram as specified under paragraph (1)—

4 (A) the number who enrolled in the health
5 care system of the Department of Veterans Af-
6 fairs under section 1705(a) of title 38, United
7 States Code; and

8 (B) the number who attended at least one
9 health care appointment at a medical facility of
10 the Department of Veterans Affairs.

11 (5) Data relating to—

12 (A) satisfaction with courses held under
13 the pilot program;

14 (B) improved awareness of health care
15 services administered by the Secretary of Vet-
16 erans Affairs; and

17 (C) any other available statistics regarding
18 the pilot program.

19 (6) A discussion of regulatory, legal, or resource
20 barriers to—

21 (A) making the pilot program permanent
22 to enable access to services provided under the
23 pilot program by a greater number of women
24 members of the Armed Forces at locations
25 throughout the United States;

1 (B) offering the pilot program online for
 2 women members of the Armed Forces who are
 3 unable to attend courses held under the pilot
 4 program in person; and

5 (C) the feasibility of automatically enroll-
 6 ing pilot program participants in the health
 7 care system of the Department of Veterans Af-
 8 fairs under section 1705(a) of title 38, United
 9 States Code.

10 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
 11 FINED.—In this section, the term “appropriate congres-
 12 sional committees” means—

13 (1) the Committee on Armed Services and the
 14 Committee on Veterans’ Affairs of the Senate; and

15 (2) the Committee on Armed Services and the
 16 Committee on Veterans’ Affairs of the House of
 17 Representatives.

18 **SEC. 3. AUTHORITY FOR SECRETARY OF VETERANS AF-**
 19 **FAIRS TO FURNISH MEDICALLY NECESSARY**
 20 **TRANSPORTATION FOR NEWBORN CHILDREN**
 21 **OF CERTAIN WOMEN VETERANS.**

22 (a) *IN GENERAL.*—Section 1786 of title 38, United
 23 States Code, is amended—

24 (1) *in subsection (a)*—

25 (A) *in the matter before paragraph (1)*—

1 (i) by inserting “and transportation
2 necessary to receive such services” after “de-
3 scribed in subsection (b)”;

4 (ii) by inserting “, except as provided
5 in subsection (e),” after “seven days”;

6 (B) in paragraph (1), by striking “or”;

7 (C) in paragraph (2), by striking the period
8 at the end and inserting “; or”; and

9 (D) by adding at the end the following new
10 paragraph:

11 “(3) another location, including a health care fa-
12 cility, if the veteran delivers the child before arriving
13 at a facility described in paragraph (1) or (2).”;

14 (2) in subsection (b), by inserting before the pe-
15 riod at the end the following: “, including necessary
16 health care services provided by a facility other than
17 the facility where the newborn child was delivered
18 (including a specialty pediatric hospital) that accepts
19 transfer of the newborn child and responsibility for
20 treatment of the newborn child”; and

21 (3) by adding at the end the following new sub-
22 sections:

23 “(c) TRANSPORTATION.—(1) Transportation furnished
24 under subsection (a) to, from, or between care settings to

1 *meet the needs of a newborn child includes costs for either*
 2 *or both the newborn child and parents.*

3 “(2) *Transportation furnished under subsection (a) in-*
 4 *cludes transportation by ambulance, including air ambu-*
 5 *lance, or other appropriate medically staffed modes of*
 6 *transportation—*

7 “(A) *to another health care facility (including a*
 8 *specialty pediatric hospital) that accepts transfer of*
 9 *the newborn child or otherwise provides post-delivery*
 10 *care services when the treating facility is not capable*
 11 *of furnishing the care or services required; or*

12 “(B) *to a health care facility in a medical emer-*
 13 *gency of such nature that a prudent layperson reason-*
 14 *ably expects that delay in seeking immediate medical*
 15 *attention would be hazardous to life or health.*

16 “(3) *Amounts paid by the Department for transpor-*
 17 *tation under this section shall be derived from the Medical*
 18 *Services appropriations account of the Department.*

19 “(d) *REIMBURSEMENT OR PAYMENT FOR HEALTH*
 20 *CARE SERVICES OR TRANSPORTATION.—(1) Pursuant to*
 21 *regulations the Secretary shall prescribe to establish rates*
 22 *of reimbursement and any limitations thereto under this*
 23 *section, the Secretary shall directly reimburse a covered en-*
 24 *tity for health care services or transportation services pro-*
 25 *vided under this section, unless the cost of the services or*

1 *transportation is covered by an established agreement or*
 2 *contract. If such an agreement or contract exists, its nego-*
 3 *tiated payment terms shall apply.*

4 “(2)(A) *Reimbursement or payment by the Secretary*
 5 *under this section on behalf of an individual to a covered*
 6 *entity shall, unless rejected and refunded by the covered en-*
 7 *tity within 30 days of receipt, extinguish any liability on*
 8 *the part of the individual for the health care services or*
 9 *transportation covered by such payment.*

10 “(B) *Neither the absence of a contract or agreement*
 11 *between the Secretary and a covered entity nor any provi-*
 12 *sion of a contract, agreement, or assignment to the contrary*
 13 *shall operate to modify, limit, or negate the requirements*
 14 *of subparagraph (A).*

15 “(3) *In this subsection, the term ‘covered entity’ means*
 16 *any individual, transportation carrier, organization, or*
 17 *other entity that furnished or paid for health care services*
 18 *or transportation under this section.*

19 “(e) *EXCEPTION.—Pursuant to such regulations as the*
 20 *Secretary shall prescribe to carry out this section, the Sec-*
 21 *retary may furnish more than seven days of health care*
 22 *services described in subsection (b), and transportation nec-*
 23 *essary to receive such services, to a newborn child based on*
 24 *medical necessity if the child is in need of additional care,*
 25 *including a case in which the newborn child has been dis-*

1 *charged or released from a hospital and requires readmit-*
 2 *tance to ensure the health and welfare of the newborn*
 3 *child.”.*

4 (b) *TREATMENT OF CERTAIN EXPENSES ALREADY IN-*
 5 *CURRED.—*

6 (1) *IN GENERAL.—Pursuant to such regulations*
 7 *as the Secretary of Veterans Affairs shall prescribe,*
 8 *with respect to transportation furnished in order for*
 9 *a newborn child of a veteran to receive health care*
 10 *services under section 1786 of title 38, United States*
 11 *Code, during the period specified in paragraph (2),*
 12 *the Secretary may—*

13 (A) *waive a debt owed by the veteran to the*
 14 *Department of Veterans Affairs or reimburse ex-*
 15 *penses already paid by the veteran to the De-*
 16 *partment for such transportation; or*

17 (B) *reimburse the veteran for costs billed by*
 18 *a covered entity for such transportation regard-*
 19 *less of whether the veteran has already made*
 20 *such payment.*

21 (2) *PERIOD SPECIFIED.—The period specified in*
 22 *this paragraph is the period beginning on May 5,*
 23 *2010, and ending on the date of the enactment of this*
 24 *Act.*

1 (3) *COVERED ENTITY DEFINED.*—*In this sub-*
2 *section, the term “covered entity” has the meaning*
3 *given that term in section 1786(d)(3) of title 38,*
4 *United States Code, as amended by subsection (a).*

Amend the title so as to read: “A bill to direct the Secretary of Veterans Affairs to carry out the Women’s Health Transition Training pilot program through at least fiscal year 2020, to authorize the Secretary to furnish medically necessary transportation for newborn children of certain women veterans, and for other purposes.”.

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