

117TH CONGRESS
1ST SESSION

H. R. 1276

IN THE SENATE OF THE UNITED STATES

MARCH 10, 2021

Received

AN ACT

To authorize the Secretary of Veterans Affairs to furnish COVID–19 vaccines to certain individuals, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Department of Vet-
3 erans Affairs Veterans’ and Caregivers’ COVID–19 Im-
4 munizations Now Expanded Act of 2021” or the “VA
5 VACCINE Act of 2021”.

6 **SEC. 2. AUTHORITY OF SECRETARY OF VETERANS AFFAIRS**
7 **TO FURNISH COVID–19 VACCINES TO CER-**
8 **TAIN INDIVIDUALS.**

9 (a) IN GENERAL.—The Secretary of Veterans Affairs
10 may furnish a COVID–19 vaccine to a covered individual
11 during the COVID–19 public health emergency.

12 (b) VACCINES FURNISHED ABROAD.—In the case of
13 an individual who is a covered individual by reason of sub-
14 section (d)(2)(B), the Secretary may furnish a COVID–
15 19 vaccine, in a geographic location other than a State,
16 to such individual under subsection (a) regardless of
17 whether the Secretary determines that such vaccine is
18 needed for the treatment of a service-connected disability
19 of the veteran or as part of a rehabilitation program under
20 chapter 31 of title 38, United States Code.

21 (c) VETERAN AND ACCOMPANYING CAREGIVER PRI-
22 ORITY.—In furnishing COVID–19 vaccines, the Secretary
23 shall—

24 (1) prioritize the vaccination of veterans who
25 are enrolled in the patient enrollment system of the
26 Department of Veterans Affairs under section 1705

1 of title 38, United States Code, veterans who fail to
2 so enroll but receive hospital care and medical serv-
3 ices pursuant to subsection (c)(2) of such section,
4 and accompanying caregivers over the vaccination of
5 covered individuals under this section not otherwise
6 described in this paragraph; and

7 (2) only furnish such vaccines to covered indi-
8 viduals under this section to the extent that such
9 vaccines are available.

10 (d) DEFINITIONS.—In this section:

11 (1) The term “accompanying caregiver” means
12 a caregiver described in subparagraph (C), (D), or
13 (E) of paragraph (2) who is accompanying a veteran
14 as described in subsection (c)(1).

15 (2) The term “covered individual” means any of
16 the following:

17 (A) A veteran who is not eligible to enroll
18 in the patient enrollment system of the Depart-
19 ment of Veterans Affairs under section 1705 of
20 title 38, United States Code.

21 (B) A veteran who is eligible for care
22 under section 1724 of such title.

23 (C) A family caregiver who is approved as
24 a provider of personal care services for an eligi-
25 ble veteran under the program of comprehensive

1 assistance for family caregivers under section
2 1720G(a) of such title.

3 (D) A caregiver of a covered veteran par-
4 ticipating in the program of general caregiver
5 support services under section 1720G(b) of
6 such title.

7 (E) A caregiver of a veteran participating
8 in the Medical Foster Home Program, Bowel
9 and Bladder Program, Home Based Primary
10 Care Program, or Veteran Directed Care Pro-
11 gram of the Department of Veterans Affairs.

12 (3) The term “COVID–19” means the
13 Coronavirus disease 2019.

14 (4) The term “COVID–19 public health emer-
15 gency” means the public health emergency declared
16 by the Secretary of Health and Human Services on
17 January 27, 2020, with respect to the Coronavirus
18 disease 2019.

