

118TH CONGRESS
1ST SESSION

H. R. 3888

To amend title 38, United States Code, to strengthen benefits for children of Vietnam veterans born with spina bifida, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2023

Mr. BAIRD introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to strengthen benefits for children of Vietnam veterans born with spina bifida, 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. BENEFITS FOR CERTAIN CHILDREN OF VIET-**
4 **NAM VETERANS AND CERTAIN OTHER VET-**
5 **ERANS.**

6 (a) DEFINITIONS.—Section 1831 of title 38, United
7 States Code, is amended—

8 (1) by redesignating paragraphs (2) and (3) as
9 paragraphs (4) and (5), respectively; and

1 (2) by inserting after paragraph (1) the fol-
2 lowing new paragraphs:

3 “(2) The term ‘covered child’ means a child
4 who is eligible for health care and benefits under
5 this chapter.

6 “(3) The term ‘covered veteran’ means an indi-
7 vidual whose children are eligible for health care and
8 benefits under this chapter.”.

9 (b) IN GENERAL.—Subchapter IV of chapter 18 of
10 title 38, United States Code, is amended by adding at the
11 end the following new sections:

12 **“§ 1835. Advisory council**

13 “(a) IN GENERAL.—The Secretary shall establish an
14 advisory council on health care and benefits for covered
15 children.

16 “(b) MEMBERSHIP.—The advisory council estab-
17 lished under subsection (a) shall be composed of Federal
18 employees.

19 “(c) DUTIES.—The advisory council established
20 under subsection (a) shall solicit feedback from covered
21 children and covered veterans on the health care and bene-
22 fits provided under this chapter and communicate such
23 feedback to the Secretary.

1 **“§ 1836. Care and coordination teams**

2 “(a) IN GENERAL.—The Secretary shall establish
3 care and coordination teams for covered children.

4 “(b) OUTREACH.—A care and coordination team es-
5 tablished under subsection (a) shall attempt to contact
6 each covered child—

7 “(1) not less frequently than once every 180
8 days, to ensure the continued care of the child and
9 assist with any changes in care needed due to a
10 changed situation of the child; and

11 “(2) as soon as practicable after the identifica-
12 tion of a condition listed in the report required by
13 subsection (c).

14 “(c) REPORT.—Not later than 180 days after the
15 date of the enactment of this section, the Secretary shall
16 submit to the Committee on Veterans’ Affairs of the Sen-
17 ate and the Committee on Veterans’ Affairs of the House
18 of Representatives a report setting forth a list of condi-
19 tions that will trigger outreach to covered children under
20 subsection (b)(2).

21 **“§ 1837. Duration of health care and benefits pro-**
22 **vided**

23 “The Secretary shall provide a covered child with
24 health care and benefits under this chapter—

25 “(1) for the duration of the life of the child;
26 and

1 “(2) notwithstanding any death of a parent of
2 the child that precedes the death of the child.

3 **“§ 1838. Biennial report**

4 “Not less frequently than once every two years, the
5 Secretary shall submit to Congress a report setting forth
6 the following:

7 “(1) The number of covered children receiving
8 health care or benefits under this chapter as of the
9 date on which the report is submitted.

10 “(2) The number of covered children for which
11 the Department is paying for or providing a social
12 worker as of such date.

13 “(3) Metrics on outreach conducted under sec-
14 tion 1836(b) of this title.”.

15 (c) MEMORANDUM OF UNDERSTANDING.—Not later
16 than 90 days after the date of the enactment of this Act,
17 the Under Secretary for Benefits of the Department of
18 Veterans Affairs and the Under Secretary for Health of
19 the Department shall enter into a memorandum of under-
20 standing—

21 (1) to better assist covered children (as defined
22 in section 1831 of title 38, United States Code, as
23 amended by subsection (a)); and

1 (2) to establish conditions to be included in the
 2 report required by section 1836(c) of title 38,
 3 United States Code, as added by subsection (b).

4 (d) IMPLEMENTATION.—

5 (1) ADVISORY COUNCIL.—Not later than 270
 6 days after the date of the enactment of this Act, the
 7 Secretary of Veterans Affairs shall establish the ad-
 8 visory council required under section 1835 of title
 9 38, United States Code, as added by subsection (b).

10 (2) CARE AND COORDINATION TEAMS.—Not
 11 later than one year after the date of the enactment
 12 of this Act, the Secretary of Veterans Affairs shall
 13 establish the care and coordination teams required
 14 under section 1836 of such title, as added by sub-
 15 section (b).

16 (e) CLERICAL AMENDMENT.—The table of sections
 17 at the beginning of chapter 18 of title 38, United States
 18 Code, is amended by adding at the end the following new
 19 items:

“1835. Advisory council.

“1836. Care and coordination teams.

“1837. Duration of health care and benefits provided.

“1838. Biennial report.”.

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