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113TH CONGRESS
2D SESSION

H. R. 5022

To amend title 38, United States Code, to improve dental health care for veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2014

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

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A BILL

To amend title 38, United States Code, to improve dental health care for veterans, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Enhanced Dental Care for Veterans Act of 2014''.

SEC. 2. RESTORATIVE DENTAL SERVICES FOR VETERANS.

Section 1710(c) of title 38, United States Code, is amended—

(1) in the second sentence—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' after ''(c)'';

(3) by striking ''The Secretary'' and inserting the following:

''(2) The Secretary''; and

(4) by adding at the end the following new paragraph:

''(3) In addition to the dental services, treatment, and appliances authorized to be furnished by paragraph (2), the Secretary may furnish dental services and treatment, and dental appliances, needed to restore functioning in a veteran that is lost as a result of any services or treatment furnished under this subsection.''.

SEC. 3. PILOT PROGRAM ON EXPANSION OF FURNISHING OF DENTAL CARE TO ALL ENROLLED VETERANS.

(a) PILOT PROGRAM REQUIRED.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of furnishing dental care to veterans enrolled in the system of patient enrollment under section 1705 of title 38,

United States Code, who are not eligible for dental services and treatment, and related dental appliances, under current authorities.

(b) DURATION OF PILOT PROGRAM.—The pilot program shall be carried out during the three-year period beginning on the date of the commencement of the pilot program.

(c) LOCATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program at not fewer than 16 locations as follows:

(A) Four Department of Veterans Affairs medical centers with an established dental clinic.

(B) Four Department medical centers with a current contract for the furnishing of dental care.

(C) Four Community-Based Outpatient Clinics (CBOCs) with space available for the furnishing of services and treatment under the pilot program.

(D) Four facilities selected from among Federally Qualified Health Centers (FQHCs) and Indian Health Service facilities with established dental clinics, of which—

(i) at least one facility shall be such an Indian Health Service facility; and

(ii) any Indian Health Service facility so selected shall be selected in consultation with the Secretary of Health and Human Services.

(2) CONSIDERATIONS.—In selecting locations for the pilot program, the Secretary shall consider the feasibility and advisability of selecting locations in each of the following:

(A) Rural areas.

(B) Areas that are not in close proximity to an active duty military installation.

(C) Areas representing different geographic locations, such as census tracts established by the Bureau of Census.

(d) SCOPE OF SERVICES.—The dental services and treatment furnished to veterans under the pilot program shall be consistent with the dental services and treatment furnished by the Secretary to veterans with service-connected disabilities rated 100 percent disabling under the laws administered by the Secretary.

(e) VOLUNTARY PARTICIPATION.—The participation of a veteran in the pilot program shall be at the election of the veteran.

(f) LIMITATION ON AMOUNT OF SERVICES.—

(1) IN GENERAL.—Except as provided in paragraph (3), the total amount the Secretary may expend furnishing dental services and treatment to any veteran participating in the pilot program during any one-year period may not exceed such amount as the Secretary determines appropriate. The amount so determined may not be less than $1,000.

(2) CONSULTATION.—The Secretary shall make the determination under paragraph (1)—

(A) in consultation with the Director of the Indian Health Service; and

(B) in consultation with the Director of the Centers for Medicare and Medicaid Services if one or more Federally Qualified Health Centers is selected as a location for the pilot program under subsection (c)(1)(D).

(3) SERVICES IN EXCESS OF LIMITATION AMOUNT.—The total amount expended by the Secretary in furnishing dental services and treatment to a particular veteran participating in the pilot program during a one-year period may exceed the amount determined under paragraph (1) if the Secretary determines, before furnishing such services and treatment, based on an examination of the vet-

eran by a dentist participating in the pilot program that the furnishing of such services and treatment is necessary. Any determination under this paragraph shall be made on a case-by-case basis.

(g) COPAYMENTS.—The Secretary may collect copayments for dental services and treatment furnished under the pilot program in accordance with authorities on the collection of copayments for medical care of veterans under chapter 17 of title 38, United States Code.

(h) PROGRAM ADMINISTRATION.—

(1) NOTICE TO COVERED VETERANS ON PILOT PROGRAM.—In carrying out the pilot program, the Secretary shall inform all veterans eligible to participate in the pilot program of the services and treatment available under the pilot program.

(2) CONTRACTS.—In carrying out the pilot program, the Secretary may enter into contracts with appropriate entities for the provision of dental services and treatment under the pilot program. Each such contract shall specify performance standards and metrics and processes for ensuring compliance of the contractor concerned with such performance standards.

(i) REPORTS.—

(1) PRELIMINARY REPORTS.—

(A) IN GENERAL.—Not later than each of one year and three years after the date of the commencement of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the pilot program.

(B) CONTENTS.—Each report under subparagraph (A) shall include the following:

(i) A description of the implementation and operation of the pilot program.

(ii) The number of veterans receiving services and treatment under the pilot program, and a description of the dental services and treatment furnished to such veterans.

(iii) An analysis of the costs and benefits of the pilot program, including a comparison of costs and benefits by location type.

(iv) The current findings and conclusions of the Secretary with respect to the pilot program.

(v) Such recommendations for the continuation or expansion of the pilot pro-

gram as the Secretary considers appropriate.

(2) FINAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the pilot program.

(B) CONTENTS.—The report under subparagraph (A) shall include the following:

(i) The findings and conclusions of the Secretary with respect to the pilot program.

(ii) Such recommendations for the continuation or expansion of the pilot program as the Secretary considers appropriate.

SEC. 4. PROGRAM ON EDUCATION TO PROMOTE DENTAL HEALTH IN VETERANS.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a program of education to promote dental health for veterans who are enrolled in the system of patient enrollment of the Depart-

ment of Veterans Affairs under section 1705 of title 38, United States Code.

(2) CONSTRUCTION.—Nothing in the program shall be deemed to alter or revise the eligibility of any veteran for dental care under the laws administered by the Secretary.

(b) ELEMENTS.—The program required by subsection (a) shall provide education for veterans on the following:

(1) The association between dental health and overall health and well-being.

(2) Proper techniques for dental care.

(3) Signs and symptoms of commonly occurring dental issues, including caries.

(4) Treatment options for commonly occurring dental issues.

(5) Options for obtaining access to dental care, including information on eligibility for dental care through the Department and on purchasing private dental insurance.

(6) Options for obtaining low or no-cost dental care, including through dental schools and Federally Qualified Health Centers.

(7) Such other matters relating to dental health as the Secretary considers appropriate.

(c) DELIVERY OF EDUCATIONAL MATERIALS.—

(1) IN GENERAL.—The Secretary shall provide educational materials to veterans under the program required by subsection (a) through a variety of mechanisms, including the following:

(A) The availability and distribution of print materials at Department facilities, including medical centers, clinics, Vet Centers, and readjustment counseling centers.

(B) The availability and distribution of materials over the Internet, including through webinars and My HealtheVet.

(C) Presentations of information, including both small group and large group presentations.

(2) SELECTION OF MECHANISMS.—In selecting mechanisms for purposes of this subsection, the Secretary shall select mechanisms designed to maximize the number of veterans who receive education under the program.

SEC. 5. INFORMATION ON DENTAL SERVICES FOR INCLUSION IN ELECTRONIC MEDICAL RECORDS UNDER DENTAL INSURANCE PILOT PROGRAM.

(a) IN GENERAL.—Commencing not later than 180 days after the date of the enactment of this Act, the Sec-

retary of Veterans Affairs shall expand the dental insurance pilot program established by section 17.169 of title 38, Code of Federal Regulations, to establish a mechanism by which private sector dental care providers may forward to the Department of Veterans Affairs information on dental care furnished to individuals under the pilot program for inclusion in the electronic medical records of the Department with respect to such individuals.

(b) CONSTRUCTION WITH CURRENT PILOT PROGRAM REQUIREMENTS.—

(1) IN GENERAL.—Nothing in this section shall be construed to revise eligibility for participation in, or the locations of, the pilot program referred to in subsection (a).

(2) DURATION.—The Secretary may continue the pilot program for two years in addition to the duration otherwise provided for the pilot program in section 17.169 of title 38, Code of Federal Regulations, if the Secretary determines that the continuation is needed to assess the mechanism required by subsection (a).

(3) VOLUNTARY PARTICIPATION IN MECHANISM.—The participation in the mechanism required by subsection (a) of an individual otherwise partici-

pating in the pilot program shall be at the election of the individual.

(c) INCLUSION OF INFORMATION ON MECHANISM IN REPORTS.—Each report to Congress on the pilot program after the date of the commencement of the mechanism required by subsection (a) shall include information on the mechanism, including a current assessment of the feasibility and advisability of using the mechanism to include information on dental care furnished to individuals in the electronic medical records of the Department with respect to such individuals.

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