



Regulatory Updates Newsletter

February 2023

change would implement review criteria and procedures for considering the internment or memorialization of individuals charged with or convicted for federal or state capital or tier III sex crimes. Comments on the proposed rule can be submitted via www.regulations.gov and must be submitted no later than April 28, 2023.

Hello Everyone, and welcome to the February 2023 edition of our Regulatory and Governmental Affairs newsletter.

Rules and Proposed Rules

Persons Eligible for Burial. This proposed rule by the Department of Veterans Affairs would revise current regulations to implement Section 6601 of the 2022 National Defense Authorization Act, which would expand burial eligibility to include honorably discharged members of special guerrilla units or irregular forces operating from a base in Laos in support of the military between February 28, 1961 and May 7, 1975 and who was an American citizen or lawful alien, and who resided in the United States when they died. Comments on the proposed rule can be submitted via www.regulations.gov and must be submitted no later than April 17, 2023.

Reconsideration of Prior Internment and Memorialization Decisions. This proposed rule would amend existing VA regulations to allow VA the authority to reconsider prior decisions to inter or honor the memory of a person in a VA national cemetery. Specifically, the regulatory

Reimbursement for Emergency Treatment. The VA is finalizing an interim final rule amending regulations regarding payment or reimbursement for emergency treatment of non-service-connected conditions at non-VA facilities. This version also addresses VA's regulations authorizing payment/reimbursement of coinsurance, waiver of timely filing requirements for veterans affected by the interim final rule, and authorizes payment or reimbursement for emergency transportation associated with emergency treatment where the VA has paid for emergency treatment using a separate authority. These changes were not addressed in the Supplementary Information section of the interim final rule, so VA is offering this announcement as an opportunity to comment on the changes. Comments can be submitted via www.regulations.gov and must be submitted no later than April 24, 2023.

Bar to Approval for Education. This proposed rule would implement a provision of the Veterans Benefits and Transition Act of 2018, which requires a State Approving Agency or the Secretary of the VA to disapprove education programs provided by institutions that don't allow individuals using VA benefits to attend or participate in coursework while the institution awaits VA

payments, or where the institution imposes penalties on a student resulting from delayed VA payments. This proposed rule would also allow educational institutions to require VA educational beneficiaries to submit certain documents and would clarify that educational institutions may require beneficiaries to pay certain charges or fees if VA delays payment and ultimately pays less than what an educational institution anticipated receiving. Comments on the proposed rule can be submitted via www.regulations.gov and must be submitted no later than April 28, 2023.

Notices

Dependency and Indemnity Compensation Cost of Living Adjustments. On February 3, 2023, the VA gave notice of an increase to Cost-of-Living Adjustments that affect the Dependency and Indemnity Compensation (DIC) program. Effective December 1, 2022, the COLA was increased 8.7%.

Meetings

March 7, 2023. The Advisory Committee on the Readjustment of Veterans will hold a meeting virtually from 2:00 pm to 3:00 pm, EST. The Committee assembles, reviews, and assesses information relating to the needs of Veterans readjusting to civilian life and the effectiveness of VA services in assisting Veterans in that readjustment. Interested parties can use the following link to attend:

<https://veteransaffairs.webex.com/wbxmjs/joinservice/sites/veteransaffairs/meeting/download/c09a9a0363db4de6bc4c04e59514dbfc?siteurl=veteransaffairs&MTID=m3e3c396408384bc7dc792eef124b54d8>.

March 22 to March 23, 2023. The VA National Academic Affiliations Council (NAAC) will be held at the Orlando VA Health Care system, 13800 Veterans Way, Orlando, FL 32827. On March 22, the

meetings will be open between 9:00 am and 12:30 pm, and 3:00 pm and 4:00 pm, EST. On March 23, the meeting will be open to the public and will be held from 12:00 pm to 1:45 pm. There is no option for virtual attendance. Interested parties may also provide written comments for review by the Council prior to the meeting, or at any time via email to Larissa.Emory@va.gov. Any member of the public wishing to attend or seeking additional information should contact Ms. Emory via email or by phone at (915) 269-0465. Because the meeting will be held in a government building, anyone attending must be prepared to submit to security screening and present a valid photo I.D. Please allow at least 30 minutes prior to the meeting for this process.

April 26 to April 27, 2023. The VA Geriatric and Gerontology Advisory Committee will meet that Wednesday from 8:00 am to 4:00 pm and that Thursday from 8:00 am to 12:00 pm, EDT. The meeting will be held at the American Health Care Association, 1201 L St. NW, Washington, D.C. 20005, but will also be accessible via WebEx. The purpose of the Committee is to provide advice to the Secretary of VA and the Under Secretary for Health on all matters pertaining to geriatrics and gerontology. The Committee assesses the capability of VA health care facilities and programs to meet the medical, psychological, and social needs of older Veterans, and evaluates VA programs designated as Geriatric Research, Education, and Clinical Centers. Live public comments will not be permitted, but written comments may be submitted to Marianne Shaughnessy, Ph.D., AGPCNP-BC, GS-C, FAAN., Designated Federal Officer, Veterans Health Administration by email at Marianne.Shaughnessy@va.gov. Comments must be submitted no later than April 12, 2023.