



**Legislative & Regulatory  
Updates Newsletter  
November 2023**

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

## **New Rules**

**Final Rule - Presumptive Connection for Cancers due to exposure to Fine Particulate Matter.** This rule, which took effect on November 3, applies to two categories of veterans suffering from specific cancers. The first are those who served in the Persian Gulf War (August 2, 1990, or later). The second are those who served in the Southwest Asia theater of operations, Afghanistan, Syria, Djibouti, or Uzbekistan during certain periods. The presumptive illnesses covered include:

- SCC of the larynx or trachea;
- Adenocarcinoma of the trachea;
- Salivary gland-type tumors of the trachea or lung;
- Adenosquamous carcinoma of the lung;
- Large cell carcinoma of the lung;
- Sarcomatoid carcinoma of the lung; and
- Typical and atypical carcinoid of the lung.

**Final Rule - VA Pilot Program on Graduate Medical Education and Residency (PPGME).** This rule, which takes effect December 13, 2023, will institute the PPGME, allowing the VA to assess alternative methods for funding residents outside of the VA's current graduate medical education structure. Specifically, the VA will place residents in covered facilities, prioritizing placement of residents in facilities serving Native Americans (e.g. the Indian Health Service, tribe-operated facilities, etc.).

**Final Rule - Reevaluation of Claims for Dependency and Indemnity Compensation.** Effective January 2024, the VA is implementing Section 204 of the PACT Act, which calls for the reevaluation of claims for dependency and indemnity compensation involving the Act's new presumptions of service connection.

**Final Rule - Payments Under State Home Care Agreements for Nursing Home Care.** This final rulemaking changes the State Home per diem regulation by implementing a new formula for calculating the prevailing rate that the Department of Veterans Affairs (VA) will pay State Homes that agree to provide nursing home care to eligible veterans. VA had been relying on an outdated calculation method from the Center for Medicare and Medicaid Services (CMS). CMS abandoned this method in 2019, but VA has chosen not to adopt CMS's new method.

The new formula will reflect the prevailing rate that is payable where State Homes are located for nursing home care furnished in those State Homes. The new formula will apply to both new and existing agreements, and VA will adjust rates annually to reflect changes made by CMS.

**Proposed Rule - Commemorative Plaques and Urns.** The VA is beginning its regulatory process to implement its new authority under the *Isakson and Roe Veterans Health Care and Benefits Improvement Act* to furnish commemorative plaques and urns for qualified veterans whose cremated remains are not interred. Comments on the proposed regulatory change must be received by the VA on or before January 19, 2024, and may be submitted on [regulations.gov](https://www.regulations.gov).

## **Notices and Meetings**

**NOTICE – Allowance for Private Purchase of Outer Burial Receptacles.** Effective January 1, the allowance payable for qualifying interments using these receptacles is \$411.

**Dec. 6 - National Research Advisory Council (NRAC) Meeting.** This meeting will be held on Microsoft Teams from 11:00 a.m. to 2:00 p.m. Eastern and will be open to the public. The NRAC advises the Secretary on research conducted by the Veterans Health Administration. Topics during this meeting include annual updates from the Sensitive Species Committee and updates on pathology specimen storage. To attend, either dial 1 (872) 701 - 0185 (meeting ID: 830 018 956#), or use [this link](#).

**Dec. 11 - VA National Academic Affiliations Council Teleconference.** This meeting will be open to the public and will be held from 1:00 p.m. to 3:00 p.m. Eastern. The purpose of the Council is to advise the Secretary on matters affecting partnerships between VA and its academic affiliates. To attend, dial 1 (669) 254 - 5252, enter meeting ID 161 511 8883#. The meeting passcode is 079818 then press #.

**Dec. 12 to 13 - Advisory Committee on Women Veterans Virtual Meeting.** These meetings will be held from 1:00 p.m. to 4:00 p.m. on Wednesday and 12:00 p.m. to 3:00 p.m. Eastern on Thursday. The purpose of this committee is to advise the VA Secretary on the particular needs of women Veterans with respect to healthcare, rehabilitation, compensation, and outreach.

To attend by phone, call 1 (404) 397 - 1596 (access code: 27611900779), or click [this link](#).

## **Dec. 12 to 14 - Advisory Committee on U.S. Outlying Areas and Freely Associated States.**

This series of meetings will be held at the San Juan VA Medical Center (Room 2M240, 2nd Floor) and virtually via Microsoft Teams. Dates and times (Atlantic Standard Time) are as follows:

- December 12th, 7:30 a.m. to 4:30 p.m.;
- December 13th, 7:30 a.m. to 9:00 a.m., and 4:00 p.m. to 4:30 p.m.; and
- December 14th, 9:00 a.m. to 12:00 p.m.

The purpose of this committee is to advise the VA Secretary on how to improve VA programs and services to better serve Veterans residing in American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, Virgin Islands, Micronesia, Marshall Islands, and Palau.

To attend via phone, dial 285-717-370-382, or for telephone-only access, 1 (205) 235 - 3524 (meeting ID: 641 975 916#). To attend via Microsoft Teams, click [this link](#).

### **Bills Signed Into Law**

**H.R. 366** Korean American VALOR Act

**H.R. 1226** Wounded Warrior Access Act

### **Bills on the House Calendar**

**H.R. 542** Elizabeth Dole Home Care Act

### **Bills Covered in Markups or Hearings**

**S. 185** Native American Direct Loan Improvement Act

**H.R. 5891** Veteran Appeals Decision Clarity Act

**H.R. 5870** Veteran Appeals Transparency Act

**H.R. 5559** Protecting Veterans Claim Options Act

**H.R. 4190** Restoring Benefits to Defrauded Veterans Act

**H.R. 1753** To ensure that certain members of the Armed Forces who served in female cultural support teams receive proper credit for such service.

### **Bills Cleared by HVAC Subcommittees**

**H.R. 5938** Veterans Exam Expansion Act

**H.R. 5890** Review Every Veterans Claim Act

**H.R. 4306** Michael Lecik Military Firefighters Protection Act

**H.R. 4016** Veteran Fraud Reimbursement Act

**H.R. 3790** Justice for ALS Veterans Act

**H.R. 5956** Transparency for Student Veterans Act

**H.R. 5914** To improve the processes to approve programs of education for purposes of the educational assistance programs of the Department of Veterans Affairs

**H.R. 5785** To modify the requirements of the Edith Nourse Rogers STEM Scholarship.

**H.R. 3738** To establish a Veterans Economic Opportunity and Transition Administration within the VA

**H.R. 3722** Daniel J. Harvey, Jr. and Adam Lambert Improving Servicemember Transition to Reduce Veteran Suicide Act

**H.R. 3601** Student Veteran Work Study Modernization Act

**H.R. 2830** Veteran Improvement Commercial Driver License Act of 2023

**H.R. 522** Deliver for Veterans Act

### **Bills Referred to HVAC Subcommittees**

**H.R. 6380** Wings for Veterans Act

**H.R. 6300** Veterans Education is Timeless Act of 2023

**H.R. 6291** Have You Served Act

**H.R. 6225** Expanding Home Loans for Guard and Reservists Act

**H.R. 6197** Establishing a program to provide grants to certain surviving spouses of veterans to pay for housing.

**H.R. 6121** Filipino Veterans Fairness Act

**H.R. 6023** Veteran Restitution and Justice Act of 2023

**H.R. 5904** Helping Heroes Act

**H.R. 5883** Honoring Civil Servants Killed in the Line of Duty Act

**H.R. 5794** VA Peer Review Neutrality Act

**H.R. 4634** Authorizing appropriations for the operation of the Southwest Montana Veterans' Home, located in Butte, Montana.

**H.R. 4566** Providing Radiation Exposed Servicemembers Undisputed Medical Eligibility Act

**H.R. 5913** Consolidating Veteran Employment Services for Improved Performance Act

**H.R. 5702** Expanding Access for Online Veteran Students Act

**H.R. 5190** Military Family Protection from Debt Act

**H.R. 3816** Veterans Entry to Apprenticeship Act

### **Bills Referred to the Senate Veterans Affairs Committee**

**S. 3341** To improve the emergency management capabilities of the VA.

**S. 3339** Prohibits former military members from accepting employment in positions involving training, consulting, advising, or instructing any government-associated individual or entity from China, Russia, Iran, North Korea, Cuba, or Syria.

**H.R. 593** Renames the VA community-based outpatient clinic in Hinesville, Georgia, as the "John Gibson, Dan James, William Sapp, and Frankie Smiley VA Clinic".

**S. 3295** Increasing Access to Military Service Records Act

**S. 3290** Autonomy for Disabled Veterans Act

**S. 3288** Safeguarding Department of Veterans Affairs Dependent Education Benefits Act

**S. 3287** Supportive Services for National Guard and Reserve Veterans and Families Act

**S. 3285** Renames the VA community-based outpatient clinic of the Department of Veterans Affairs in Butte, Montana, as the "Charlie Dowd VA Clinic"

**S. 3284** Veterans Emergency Care Reimbursement Act

**S. 3282** VA Billing Accountability Act

**S. 3257** Sgt. Isaac Woodard, Jr. and Sgt. Joseph H. Maddox GI Bill Restoration Act

**S. 3256** Improving Veterans' Experience Act

**S. 3249** Renames the VA outpatient clinic in Wyandotte County, Kansas City, Kansas, as the "Captain Elwin Shopteese VA Clinic".

### **Bills Referred to the House Veterans Affairs Committee**

**H.R. 6470** Builds awareness among former members of the Armed Forces of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations

**H.R. 6452** Establishes a VA Veterans Scam and Fraud Evasion Officer

**H.R. 593** Renames the VA community-based outpatient clinic in Hinesville, Georgia, as the "John Gibson, Dan James, William Sapp, and Frankie Smiley VA Clinic".

**H.R. 6381** Veterans Visa and Protection Act

**H.R. 6374** Veterans Health Care Stamp Act

**H.R. 6373** Veterans STAND Act

**H.R. 6362** Protecting Benefits for Disabled Veterans Act of 2023

**H.R. 6360** POW Priority Care Act

**H.R. 6353** Veterans HOPE Act

**H.R. 6343** Protecting our Veterans' Memories Act

**H.R. 6342** MVP Act

**H.R. 6340** Improving Housing Outcomes for Veterans Act

**H.R. 6338** Veterans' Cancer Care Coordinator Act of 2023

**H.R. 6337** Saving Vet Halls Act

**H.R. 6336** Protect Veteran Students, Job Seekers, and Entrepreneurs Housing Act

**H.R. 6333** Veterans Emergency Care Reimbursement Act of 2023

**H.R. 6331** DOULA for VA Act

**H.R. 6330** Veterans Sentinel Act

**H.R. 6324** FY 2024 VA Major Medical Facility Authorization Act

**H.R. 6315** VA Billing Accountability Act

**H.R. 6294** Veterans Earned Education Act

**H.R. 6269** Headstones for Honor Act

**H.R. 6507** Authorizing the VA to furnish or replace a headstone, marker, or medallion for the grave of an eligible Medal of Honor recipient regardless of the recipient's dates of service in the Armed Forces

**H.R. 6500** Establishes an Office of Prison Education

**H.R. 6492** EXPLORE Act