

118TH CONGRESS
2D SESSION

H. R. 10137

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide health care for family members and other individuals who resided at or worked at locations where there is a presumption of service-connection for certain illnesses and conditions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2024

Ms. BROWNLEY introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide health care for family members and other individuals who resided at or worked at locations where there is a presumption of service-connection for certain illnesses and conditions, 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. DEPARTMENT OF VETERANS AFFAIRS PROVI-**
2 **SION OF HEALTH CARE FOR FAMILY MEM-**
3 **BERS AND OTHER INDIVIDUALS WHO RE-**
4 **SIDED AT OR WORKED AT LOCATIONS WHERE**
5 **THERE IS A PRESUMPTION OF SERVICE-CON-**
6 **NECTION FOR CERTAIN ILLNESSES AND CON-**
7 **DITIONS.**

8 (a) IN GENERAL.—Subchapter VIII of chapter 17 of
9 title 38, United States Code, is amended by adding at the
10 end the following new section:

11 **“§ 1790. Health care for family members and other in-**
12 **dividuals who resided at or worked at lo-**
13 **cations where there is a presumption of**
14 **service-connection for certain illnesses**
15 **and conditions**

16 “(a) IN GENERAL.—(1) An individual described in
17 subsection (b) shall be eligible for hospital care and med-
18 ical services furnished by the Secretary for a covered ill-
19 ness or condition.

20 “(2) An individual described in this subsection is an
21 individual who—

22 “(A) resided at, worked at, or was in utero
23 while their mother resided at or worked at a location
24 for which the Secretary has established a presump-
25 tion of service-connection for any illness or condition

1 under or pursuant to chapter 11 of this title for the
2 time period required for such presumption; and

3 “(B) can demonstrate that the individual was
4 exposed to the same condition or conditions that
5 qualify veterans for such presumption, as deter-
6 mined by the Secretary.

7 “(b) LIMITATIONS.—(1) The Secretary may only fur-
8 nish hospital care and medical services under subsection
9 (a) to the extent and in the amount provided in advance
10 in appropriations Acts for such purpose.

11 “(2) Hospital care and medical services may not be
12 furnished under subsection (a) for an illness or condition
13 of an individual that is found, in accordance with guide-
14 lines issued by the Under Secretary for Health, to have
15 resulted from a cause other than time spent at a location
16 referred to in subsection (a)(2)(A).

17 “(3) The Secretary may furnish hospital care or med-
18 ical services provided to an individual described in sub-
19 section (a)(2) only after the individual or the provider of
20 such care or services has exhausted without success all
21 claims and remedies reasonably available to the individual
22 or provider against a third party (as defined in section
23 1725(f) of this title) for payment of such care or services,
24 including with respect to health-plan contracts (as defined
25 in such section).

1 “(c) COVERED ILLNESS OR CONDITION.—In this sec-
2 tion, the term ‘covered illness or condition’ means, with
3 respect to an individual who resided at, worked at, or was
4 in utero while their mother resided at or worked at a loca-
5 tion, an illness or condition for which the Secretary has
6 established a presumption of service-connection under or
7 pursuant to chapter 11 of this title based on service in
8 the Armed Forces at that location, notwithstanding that
9 there is insufficient medical evidence to conclude that the
10 illness or condition is attributable to such residence or
11 work.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of such chapter is amended by inserting
14 after the item relating to section 1789 the following new
15 item:

“1790. Health care for family members and other individuals who resided at or
worked at locations where there is a presumption of service-
connection for certain illnesses and conditions.”.

16 (c) REPORTS.—Not later than December 31 of each
17 of 2026, 2027, and 2028, the Secretary of Veterans Af-
18 fairs shall submit to the Committee on Veterans’ Affairs
19 of the Senate and the Committee on Veterans’ Affairs of
20 the House of Representatives a report on the hospital care
21 and medical services provided under section 1790 of title
22 38, United States Code, as added by subsection (a). Each
23 such report shall include each of the following:

1 (1) The number of individuals who were fur-
2 nished hospital care or medical services under such
3 section during the period beginning on January 1,
4 2025, and ending on the date of such report.

5 (2) The illnesses and conditions for which such
6 care or services were provided and the location asso-
7 ciated with the presumption of service-connection for
8 each such illness or condition.

9 (3) The number of individuals who applied for
10 care or services under such section during that pe-
11 riod but who were denied, including information on
12 the reasons for such denials.

13 (4) The number of individuals who applied for
14 care or services under such section and are awaiting
15 a decision from the Secretary on eligibility for such
16 care or services. as of the date of such report.

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