

117TH CONGRESS  
1ST SESSION

# S. 3372

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

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2021

Mr. BRAUN (for himself and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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

21     **“§ 1836. Care and coordination teams**

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

1       “(b) OUTREACH.—A care and coordination team es-  
 2       tablished under subsection (a) shall contact each covered  
 3       child—

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

8               “(2) as soon as practicable after the identifica-  
 9       tion of a condition listed in the report required by  
 10       subsection (c).

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

18       **“§ 1837. Duration of health care and benefits pro-**  
 19       **vided**

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

22               “(1) for the duration of the life of the child;  
 23       and

24               “(2) notwithstanding any death of a parent of  
 25       the child that precedes the death of the child.”.

1       (c) MEMORANDUM OF UNDERSTANDING.—Not later  
2 than 90 days after the date of the enactment of this Act,  
3 the Under Secretary for Benefits of the Department of  
4 Veterans Affairs and the Under Secretary for Health of  
5 the Department shall enter into a memorandum of under-  
6 standing—

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

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

13       (d) IMPLEMENTATION.—Not later than 90 days after  
14 the date of the enactment of this Act, the Secretary of  
15 Veterans Affairs shall establish—

16           (1) the advisory council required under section  
17 1835 of title 38, United States Code, as added by  
18 subsection (b); and

19           (2) the care and coordination teams required  
20 under section 1836 of such title, as so added.

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

“1835. Advisory council.

“1836. Care and coordination teams.

“1837. Duration of health care and benefits provided.”.

