

118TH CONGRESS
1ST SESSION

S. 1952

To amend title 38, United States Code, to expand eligibility for care from the Department of Veterans Affairs to include members of the reserve components of the Armed Forces, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2023

Mr. SANDERS (for himself, Mr. BOOKER, and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand eligibility for care from the Department of Veterans Affairs to include members of the reserve components of the Armed Forces, 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. SHORT TITLE.**

4 This Act may be cited as the “Reserve Component
5 Healthcare Access and Expansion Act”.

1 **SEC. 2. EXPANSION OF HEALTH CARE FROM DEPARTMENT**
 2 **OF VETERANS AFFAIRS TO INCLUDE MEM-**
 3 **BERS OF THE RESERVE COMPONENTS OF**
 4 **THE ARMED FORCES WHO ARE NOT ON AC-**
 5 **TIVE ORDERS.**

6 (a) EXPANSION OF CARE.—

7 (1) IN GENERAL.—Section 1789 of title 38,
 8 United States Code, is amended to read as follows:

9 **“§ 1789. Health care for members of the reserve com-**
 10 **ponents of the Armed Forces**

11 “(a) IN GENERAL.—The Secretary (subject to sub-
 12 section (b)) shall furnish hospital care and medical serv-
 13 ices, including mental health services, to any member of
 14 the reserve components of the Armed Forces during any
 15 period in which the member is not entitled to benefits
 16 under TRICARE Prime (as defined in section 1072(14)
 17 of title 10).

18 “(b) LIMITATION.—The requirement in subsection
 19 (a) shall be effective in any fiscal year only to the extent
 20 and in the amount provided in advance in appropriations
 21 Acts for such purpose.

22 “(c) CONSULTATION WITH SECRETARY OF DE-
 23 FENSE.—The Secretary shall carry out this section in con-
 24 sultation with the Secretary of Defense.”.

25 (2) CLERICAL AMENDMENT.—The table of sec-
 26 tions at the beginning of subchapter VIII of chapter

1 17 of such title is amended by striking the item re-
 2 lating to section 1789 and inserting the following
 3 new item:

“1789. Health care for members of the reserve components of the Armed
 Forces.”.

4 (b) ENROLLMENT IN PATIENT ENROLLMENT SYS-
 5 TEM.—

6 (1) PRIORITY FOR ENROLLMENT.—Section
 7 1705(a) of title 38, United States Code, is amend-
 8 ed—

9 (A) in the matter preceding paragraph (1),
 10 by striking “enrollment of veterans” and insert-
 11 ing “enrollment of individuals under such sys-
 12 tem”; and

13 (B) in paragraph (7)—

14 (i) by striking “Veterans” and insert-
 15 ing “(A) Veterans”; and

16 (ii) by adding at the end the following
 17 new subparagraph:

18 “(B) Members of the reserve components of the
 19 Armed Forces for purposes of furnishing hospital
 20 care and medical services under section 1789(a) of
 21 this title.”.

22 (2) INITIAL ENROLLMENT.—

23 (A) PHASED APPROACH.—The Secretary of
 24 Veterans Affairs shall implement a phased ap-

1 proach under subparagraphs (B) and (C) to en-
2 roll all members of the reserve components of
3 the Armed Forces in the patient enrollment sys-
4 tem.

5 (B) UNINSURED.—The Secretary shall en-
6 sure that all members of the reserve compo-
7 nents of the Armed Forces who are uninsured
8 are enrolled in the patient enrollment system by
9 not later than December 31, 2023.

10 (C) OTHER MEMBERS.—The Secretary
11 shall ensure that all members of the reserve
12 components of the Armed Forces not covered by
13 subparagraph (B) are enrolled in the patient
14 enrollment system by not later than December
15 31, 2024.

16 (3) ONGOING ENROLLMENT.—After December
17 31, 2023, the Secretary shall automatically enroll in
18 the patient enrollment system all new members of
19 the reserve components of the Armed Forces upon
20 those members joining the reserve components.

21 (4) STUDY.—

22 (A) IN GENERAL.—The Secretary shall
23 conduct a study to evaluate options for improv-
24 ing access to health care for members of the re-
25 serve components of the Armed Forces, includ-

1 ing by conducting a review of priority groups
2 for enrollment in the patient enrollment system.

3 (B) REPORT.—Not later than 180 days
4 after the date of the enactment of this Act, the
5 Secretary shall submit to Congress a report on
6 the study conducted under subparagraph (A).

7 (5) CONSULTATION WITH SECRETARY OF DE-
8 FENSE.—The Secretary shall carry out this sub-
9 section and the amendments made by this subsection
10 in consultation with the Secretary of Defense.

11 (6) PATIENT ENROLLMENT SYSTEM DE-
12 FINED.—In this subsection, the term “patient enroll-
13 ment system” means the system of annual patient
14 enrollment of the Department of Veterans Affairs
15 established and operated under section 1705(a) of
16 title 38, United States Code.

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